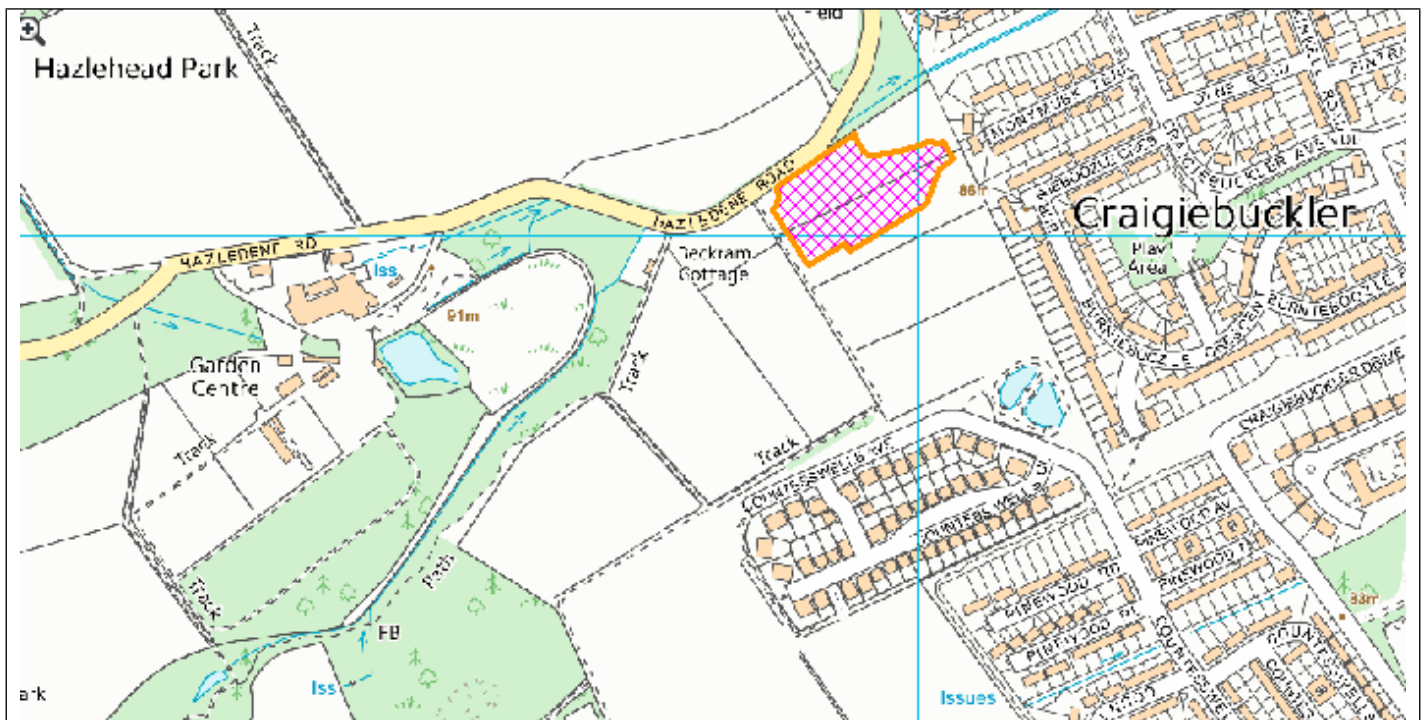


Site Address:	Zone A (site Between), Countesswells Road/Hazledene Road, Aberdeen,
Application Description:	Erection of care home and 4 dwellings
Application Reference:	170525/DPP
Application Type	Detailed Planning Permission
Application Date:	11 May 2017
Applicant:	Dandara
Ward:	Hazlehead/Ashley/Queens Cross
Community Council	Craigiebuckler And Seafield
Case Officer:	Gavin Evans



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RECOMMENDATION

Willingness to approve with conditions, subject to conclusion of a legal agreement securing the following developer obligations:

- Core Path Network (£18,079);
- Open Space (£8,894); and

- Healthcare (£49,746 to contribute towards a new health centre at Countesswells).
- Total £76,719

APPLICATION BACKGROUND

Site Description

The application site forms a component part of the wider Hazledene development site, which is located between Hazledene Road, to the north, and the adjacent Pinewood development site, to the south. The Pinewood site is bounded by Countesswells Road to the south. Those two allocated development sites combine to form a wider development area, L-shaped in plan view, which sits directly to the west of the established residential areas of Countesswells and Craigiebuckler. Their combined site area is some 27 hectares, of which roughly 10.5ha is contained within the Pinewood site and 16.5ha within Hazledene. The current application concerns the north-eastern portion of the Hazledene site, which extends to 1.07ha and incorporates a frontage onto Hazledene Road.

Relevant Planning History

Application Number	Proposal	Decision Date
080831 (A8/0850)	Planning Permission in Principle: Residential development comprising circa 250 plots	19.08.2010
120029	Approval of Matters Specified in Conditions attached to 080831	23.08.2012
130994	Approval of Matters Specified in Conditions attached to 080831	28.11.2013

APPLICATION DESCRIPTION

Description of Proposal

This application proposes the construction of a residential care home comprising 81 bedrooms, along with associated car parking and landscaping, as well as 4no detached dwellinghouses.

The Care Home element of the proposal would be orientated to face onto Hazledene Road, and would benefit from a dedicated access, whilst the 4no dwellings would face eastwards, directly onto the residential access road. The Care Home would be constructed across three storeys, with a flat-roofed design, although it is noted that this roof design and the lower level of the building are such that it would not sit markedly higher than the ridge level of the neighbouring dwellings. Internally, the Care Home would include community facilities including residents' lounges, a library, cinema and gym, as well as nursing station and associated staff facilities.

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=OPP0HBBZKPJ00>.

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

- Tree Survey
- Landscape Plan
- Transport Statement
- Design Statement
- Supporting Statement

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because:

- More than 5 representations have been received; and
- The local Craigiebuckler and Seafield Community Council has lodged an objection

CONSULTATIONS

Archaeology Service (Aberdeenshire Council) –Having reviewed the application, and taken into consideration the nature of the known archaeological sites within the wider landscape, **no comment** to make.

Developer Obligations Team – Necessary obligations are identified in relation to the Core Path Network (£18,079); Open Space (£8,894) and Healthcare (£49,746 to contribute towards a new health centre at Countesswells serving residents). Note that developments of this nature do not attract Education obligations, and that care homes are exempt from Affordable Housing obligations. Contributions towards community facilities will not be sought on the basis of the communal space provided on-site.

ACC - Environmental Health – No objection. Recommend the following measures:

1. That a scheme of Local Extract Ventilation is secured in order to ensure that any odour arising from cooking activities is subject to appropriate filtration, extraction and dispersal.
2. Recommend an advisory note recommending that hours of construction are restricted to 7am-7pm Mon-Fri and 8am-1pm Sat in order to avoid adverse impact on amenity.
3. Recommend an advisory note relating to measures to mitigate impact arising from dust during construction.

North East Scotland Biological Records Centre – No species of note highlighted by search.

Police Scotland – No objection. Note that the site is good from the perspective of crime prevention through design. Note that there is currently a very low level of crime in this area and conclude that Police Scotland has no concerns regarding the development from a policing perspective.

ACC - Roads Development Management Team – No objection provided the following matters are addressed:

1. The path running to the south of the Care Home is required to be 3m wide in order to correspond with the wider path network. This path must be a formal connection, surfaced appropriately, drained and lit. Further specification of this path can be secured and agreed prior to development through use of a condition.

2. A footpath within the site, providing a connection to the Care Home's main entrance from the newly constructed pedestrian footway on Hazledene Road, will be required. This can be secured by condition.
3. It is noted that adequate visibility has been demonstrated at the site access junction. It is recommended that a planning condition be used to ensure that visibility is maintained.
4. Parking provision is considered to be acceptable.
5. Swept-path analysis has been undertaken, demonstrating that the development can be adequately accessed by service vehicles. A slight over-run is identified, however this is considered to be permissible in this instance.

Scottish Water – No response.

ACC - Waste Strategy Team – No objection. Note that no garden waste will be provided for the Care Home as it is assumed grounds will be maintained as part of a service charge for the building and undertaken by a commercial contractor. Further detailed specification for bin storage areas will be required in order to ensure that provision is sufficient for the proposed development, but this can be secured prior to development commencing through use a planning condition.

ACC Flooding and Coastal Protection Team – Note submission of a Drainage Impact Assessment and express general satisfaction with its content. Further confirmation of how any cut-off land drains are to be dealt with was sought, and a further statement has been provided by the applicants, confirming that any land drainage encountered during excavations will be dealt with by diverting drains around excavations and directing flow to its outlet. Any groundwater spring that is discovered and cannot be controlled by existing land drains shall be captured and piped to the most appropriate watercourse.

Craigiebuckler and Seafeld Community Council – Object to the application on the following grounds:

- The high water table and site drainage conditions are such that the site is not suited to residential development.
- Highlights that recent development has coincided with a dramatic reduction in the volume of flowing water in the burn feeding into Walker Dam, with corresponding silting up of ponds. It is contended that excavations to form the proposed care home will result in further silting of the Walker Dam.
- Highlights disproportionately large size of the care home, relative to the housing planned on adjacent land, and potentially overbearing presence.
- Notes potential adverse visual impact from properties on Monymusk Terrace.
- The Walker Dam is listed by Aberdeen City Council, as a local nature conservation site, noted for its charming mixture of landscaped areas and semi-natural habitats. The main feature is the large pond with a small burn and areas of wetland.
- Note concern that SEPA are not referenced in the supporting documents, given the importance of appropriate management of groundwater.
- Express concern that the northern SuDS pond is in poor condition and is not fit for its intended purpose as a flood prevention measure.
- The proposed care home will be visible from Hazlehead Park and will not blend in with the surrounding landscape.
- Concern expressed that works to form the access for the care home would damage the root systems of the mature beech trees along the Hazledene Road frontage.
- Parking provision will be woefully inadequate for such a large establishment.
- Concern that visitors and employees will have to park their vehicles in the nearby streets of Hazlewood, Burnieboozle, Craigiebuckler, Woodburn and Hazledene.

- Noise and disruption associated with construction traffic will cause disturbance and, given the nature of the use, this is likely to continue once the home is operational.
- Note no reference in the submissions to developer contributions towards increasing the capacity of the surrounding road network – note existing problems at Queens Road/Springfield Road junction
- Notes that traffic onto Queen's Road is required to turn left and then double-back at the roundabout., adding to the traffic congestion at Hazlehead roundabout.
- The local medical practice is at capacity, and the proposed care home would exacerbate that situation.

REPRESENTATIONS

A total of 14 representations have been received in relation to this application. These raise the following matters:

- Original Planning Permission in Principle (PPiP) plans included only minor access to Hazledene Road;
- No explanation for earlier decision to allow 50 homes accessed from hazledene Road, nor justification for this additional access;
- Location of site access is not safe (on a bend);
- Parking is insufficient for staff and residents and will result in overspill onto surrounding streets;
- Care Home is of excessive height;
- Visual impact when seen from Hazlehead Park, detracting from parkland character;
- Design of Care Home is not compatible and consistent with its surroundings;
- No indication of lifts or rooftop plant on drawings;
- Hazledene Road not suitable for increased traffic;
- Additional traffic would increase burden at the Hazlehead Roundabout;
- Verge at Hazeledene Road is understood to be ACC owned. If approved, Dandara should be obliged to pay a settlement for wayleave over a community asset;
- Overdevelopment;
- Noise – From ambulances, staff & visitors;
- Flooding and drainage problems – highlights problems with drainage across wider site;
- Does not comply with SPP para 271, which states support for development which 'provide safe and convenient opportunities for walking and cycling, both for active travel and recreation';
- Queries compliance with original development framework/masterplan given the degree of change from the approved scheme;
- Inadequate refuse provision;
- Queries inaccuracies on form;
- Accusation of greed in proposing both housing and care home together;
- Speculates about future proposals to connect through the site to new roundabout on Countesswells Road;
- Traffic Impact Assessment should be undertaken;
- Public open space is to be provided – queries who is responsible for maintaining open space and landscaping throughout the site;
- Fencing layout should be provided to ensure appropriate separations;
- Construction could result in silt polluting the burn, which flows into Walker Dam;
- Queries lack of SEPA involvement;
- Hazledene Road too narrow for emergency vehicles if cars are parked on it;
- Queries sewer capacity to accommodate development;
- Queries who will maintain the private section of Hazledene Road;

- Inconsistencies and inaccuracies in supporting statements are highlighted;
- Light pollution;
- Route to public transport on Craigiebuckler Avenue is muddy, loose surfaced and unlit – not suitable for residents/visitors to access bus facilities. No provision is made to upgrade this route. If accessing via hazledene Road, there is no footpath between the football pitch and junction with Craigiebuckler Avenue (wasn't this required as part of 130994? – may need to secure in connection with this consent also)
- Site should remain as part of the green belt;
- Conflict with Urban Green Space guidelines;
- States that this area is or was a conservation area;
- Loss of privacy to dwellings on Monymusk Terrace;

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.

National Planning Policy and Guidance

Scottish Planning Policy (SPP)

SPP sets out national planning policies for consideration in the assessment of development proposals. SPP highlights that the planning system should *'take a positive approach to enabling high-quality development and making efficient use of land to deliver long-term benefits for the public while protecting and enhancing natural and cultural resources'*.

Creating Places

Creating Places is the Scottish Government's policy statement on architecture and place.

Designing Streets

Designing Streets is the Scottish Government's policy and technical guidance on street design.

Aberdeen Local Development Plan (2017)

- LR1 Land Release Policy
- LR2 Delivery of Mixed Use Communities
- D1 Quality Placemaking by Design
- D2 Landscape
- I1 Infrastructure Delivery and Planning Obligations
- T2 Managing the Transport Impact of Development
- T3 Sustainable and Active Travel
- H1 Residential Areas
- H3 Density
- H4 Housing Mix
- NE1 Green Space Network
- NE5 Trees and Woodlands
- NE6 Flooding, Drainage and Water Quality
- NE8 Natural Heritage

- NE9 Access and Informal Recreation
- R6 Waste Management Requirements for New Development
- R7 Low and Zero Carbon Buildings and Water Efficiency

Supplementary Guidance and Technical Advice Notes

Transport and Accessibility
Planning Obligations
Trees and Woodland
Flooding and Drainage
Resources for New Development

Other Material Considerations

Aberdeen City and Shire Strategic Development Plan (2014)

EVALUATION

Principle of Development

The principle of development on the Hazledene site has been established through its identification as an opportunity site in earlier iterations of the Aberdeen Local Development Plan, its residential zoning in the current Development Plan, and the granting of both Planning Permission in Principle (PPiP) and associated approvals in relation to matters specified in conditions (AMSC). On that basis, the proposal is consistent with the release of land for development through a plan-led process and is in line with the provisions of policies LR1 (Land Release Policy) and LR2 (Delivery of Mixed Use Communities).

This assessment will focus on the introduction of an alternative use and assess the implications of that in terms of both the relationship between the Care Home and neighbouring uses and the extent to which this introduction of the Care Home would affect the deliverability of the full residential allocation, along with any other material planning considerations identified.

Zoning and introduction of Care Home use

The Hazledene site is zoned for residential purposes, with policy H1 of the LDP applicable. This zoning, along with the earlier approvals of both PPiP and AMSC, sets the context for consideration of the current proposal. Within such residential areas, the ALDP states that residential development will be acceptable in principle, provided *(i) it does not constitute over development; (ii) it does not have an unacceptable impact on the character and amenity of the surrounding area; (iii) it does not result in the loss of valuable and valued areas of open space, as defined in the Open Space Audit 2010; and (iv) it complies with Supplementary Guidance.*

Proposals for non-residential use will be refused unless either: **(i)** *they are considered complementary to residential use;* or **(ii)** *it can be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity.*

Whilst it is acknowledged that the Care Home would be a commercial enterprise with attendant staff and servicing requirements, its principal function is as a place of residence for persons in need of personal care or support. Such uses fall within Class 8 (Residential Institutions) of the Town and Country Planning (Use Classes) (Scotland) Order (as amended). Scottish Government Circular 1/1998 notes that concerns are commonly expressed regarding the additional demands that may be placed upon essential services by such uses, however states that planning authorities must concentrate on land-use planning considerations when considering such applications, with a

focus on any impacts on amenity and the environment, rather than the services or facilities within Care Homes, which are separately regulated.

In general terms, therefore, the residential nature of the proposed use is similar to the residential use associated with flats and dwellings, but with the addition of a staff component which results in movements to and from the site as a place of employment. General hours of activity would not be vastly dissimilar from ordinary residential use, and the dedicated access from Hazledene Road is such that any disturbance arising from staff arrivals and departures would be negligible, and generally comparable with domestic uses in a predominantly residential area. Visitor access to the Care Home would be managed by on-site staff, and it is not envisaged that visits would take place at unsociable hours. In conclusion the proposed Care Home use is largely comparable to a mainstream flatted block in terms of its likely impacts. The provision of a dedicated access off Hazledene Road minimises the scope for disturbance from staff or visitor movements, and it is therefore considered that the use is acceptable in principle within a residential area.

The building is orientated to face Hazledene Road, but is set back from the road frontage, with car parking, landscaping and the northern SUDS basin within the intervening space. It is noted also that the building would sit within a hollow so as to better relate to the height of the adjacent dwellings. These factors are such that the wider visual impact of the Care Home element of the proposal would not be significant, and would not serve to detract from the character or amenity of this area.

It is noted that the earlier grants of planning permission at Hazledene did not include any Care Home, however there is nothing in those earlier permissions, nor the allocation and subsequent residential zoning of the site, that would preclude such a use in principle. Policy LR1 states a presumption against any development which would prejudice the full delivery of a residential development allocation. Whilst the proposed Care Home has resulted in the removal of 6no dwellings from the earlier approved layout, it is notable that Zone A is the lowest-density part of the Pinewood/Hazledene development, and also that the allocation of the Pinewood and Hazledene sites was made prior to the introduction of minimum density requirements, which form part of the current ALDP. As a result, the number of units allocated on these sites is actually lower than might be expected had it been first allocated under the current ALDP. As a result, it is considered that there is adequate capacity for any units removed through incorporation of the Care Home to be recouped through an increase in density on some other part of the wider development site, subject to a separate grant of planning permission. Furthermore, it is recognised that Care Home type uses provide another form of residential use, and contribute to meeting the City's full range of housing needs.

On this basis, it is concluded that the proposal demonstrates accordance with policy H1 (Residential Areas), and would be compatible with the neighbouring residential uses. The proposed development does not represent an over-development of the site, as sufficient provision has been made for landscaping, car parking and drainage facilities. The scale of the development, at three storeys, is greater than that of the neighbouring dwellings, but not incongruously so, and the greater height of the care home is mitigated by the site levels, existing tree cover and proposed additional landscaping. The proposal is therefore considered to represent development of an appropriate density, consistent with policy D3 (Density) of the ALDP. The introduction of an alternative form of residential use is considered to be of benefit in providing a greater mix of housing types, consistent with policy H4 (Housing Mix).

Access, Roads and Transportation matters

The proposed Care Home would be served by a single dedicated vehicular access, directly onto Hazledene Road. The 4no dwellings that also form part of this application would be orientated to the west, fronting directly onto the residential access road serving the circa 50 homes previously

approved within Zone A. there remains no vehicular through access from Hazledene Road to the other development zones within Pinewood and Hazledene. The access serving the Care Home provides acceptable visibility to allow safe access, as demonstrated in drawings provided in support of the application. ACC's Roads Development Management Team recommends that a planning condition be used to ensure that the necessary visibility splays are kept free of any obstructions that would interfere with lines of sight.

The previous MSC approval, relating to Hazledene Zone A, included requirements for the upgrading of Hazledene Road between Queen's Road and the development frontage, including resurfacing, upgrading of existing off-street footpaths and provision of a pedestrian footway. These works have been subject to an approved Roads Construction Consent (RCC) and have progressed as can be seen in the images contained within the supporting Transport Assessment, allowing for pedestrian travel eastwards from the site access to connect with the wider network of pedestrian routes. These upgrades have already been adequately secured and need not be re-stated in any new grant of planning permission, however it will be necessary to utilise a condition to ensure that provision is made for a footpath within the development site, connecting the main entrance to the Care Home with the footway along the development frontage to Hazledene Road.

Following submission of a Transport Statement, the Council's Roads Development Management team is satisfied that the additional impact on the surrounding road network is minimal and will be acceptable. A total of 28 car parking spaces are to be provided to serve the Care Home element of the proposal, of which two would be accessible spaces and a further two would be for doctor's/limousine parking respectively. This provision is below the maximum level set by the Council's Transport and Accessibility SG, but is considered to be acceptable to meet the needs of the development in this instance.

It is noted that a Core Path follows the eastern edge of the development and provides a linkages to Countesswells Avenue and Craigiebuckler Avenue. The pedestrian infrastructure within the site would also connect with the network of paths in the wider Pinewood and Hazledene development, with a footpath skirting around the south of the Care Home to provide connection the new residential streets to the south and west, whilst also linking to the path around the northern SUDS basin and the adjacent Core Path. Bus services are available on Craigiebuckler Avenue and Pinewood Avenue, and it is notable also that the wider Pinewood/Hazledene development was designed with a central spine road, located just south of the Care Home, that is intended to accommodate bus services serving the new development. Taking these matters into account, it is considered that the site is adequately accessible to both vehicles and pedestrians, makes acceptable provision for on-site car parking, and can accommodate refuse as servicing vehicles to support the proposed use. On that basis, it is concluded that the proposal would accord with the requirements of policies T2 (Managing the Transport Impact of Development), T3 (Sustainable and Active Travel) and NE9 (Access and Informal Recreation) along with the associated Transport and Accessibility SG.

Design

The Care Home presents a frontage to the development, facing onto Hazledene Road. This is welcomed as a positive relationship. Whilst concerns have been expressed in representations about the visual impact of the building when viewed from within the recreational parkland setting at Hazlehead, it is considered that the low-profile roof style, when combined with existing tree cover and additional new planting, are of benefit in mitigating any visual impact. It is noted also that the site levels would be such that the Care Home's overall height would be comparable to the ridge height of the neighbouring 2-storey dwellings within the site. The building is sufficiently set back from the Hazledene Road frontage that it would not be unduly prominent, with existing trees and new planting serving to soften views across the hardstanding formed to accommodate car parking. Visually, the front elevation of the building is broken up through the use of different materials, with

an overall impression of light and airy internal spaces. Colours and materials are of a similar palette to those of the new-build housing within the Pinewood and Hazledene development, which assists in providing a consistent theme between buildings that are otherwise of differing roof styles, uses and footprint. The consistent use of grey zinc-style roofs, light/white renders and areas of timber cladding will ensure that there is a clear relationship between these two components of the development, however it is noted that they will be orientated away from one another and will benefit from separate vehicular access points.

The specific needs of residents are key to the design of the spaces around the Care Home. Passive surveillance of the grounds is provided by the apartments overlooking key spaces, and a sense of security and enclosure is essential. The change in levels to the Care Home is of benefit in providing a sense of enclosure to the secure gardens to the south of the building, which will be laid out as formal gardens incorporating planted borders and a gentle slope up to the rear, behind the retaining wall. All pedestrian links would be overlooked, and connections to wider networks of footpaths are provided. It is considered that this represents a well-considered response to the site's context, the surrounding uses and built form, and the needs of the residents. The Care Home would sit well alongside the previously approved housing, utilising similar colours and materials, and making use of site levels to absorb the additional height of the building into the landscape so as to better integrate with its surroundings. It is therefore considered that the proposal demonstrates due consideration for its context and makes a positive contribution to its setting, as required by policy D1 (Quality Placemaking by Design). The proposal would not result in any adverse impact on the existing landscape setting, and makes use of existing landscape features, new earthworks and new landscape planting to better integrate development with the local landscape character, consistent with policy D2 (Landscape) of the ALDP.

Amenity

The principle of the Care Home use has been previously addressed in this report. In terms of specific amenity impacts, it is noted that the use would involve the preparation of food for residents. There is insufficient detail to establish precisely what the associated impacts may be, however comments from the Council's Environmental Health Officers have set out the requirements should specified cooking operations be undertaken, and these can form the basis of conditions requiring submission and agreement of further information, including details of any necessary mitigation measures, prior to the use being commenced. This will ensure that any odours are adequately treated and dispersed, and existing residential amenity is protected. Concerns are expressed in representations about the potential for light pollution, however any lighting will be of a type consistent with the residential nature of the building, and it is recognised that there are separate powers that exist under Environmental Health legislation should there be any nuisance arising from light pollution.

Trees, landscaping and natural heritage

The proposal would not result in any adverse impact on existing trees. The submitted tree survey identifies a total of 18 trees within the site and its immediate surrounds, of which 14 are mature beech, likely to be in excess of 100 years old. The remaining specimens include mature sycamore and willow. Recommendations are made for the removal of large overhanging stems to multistemmed Willow trees that are in poor condition and the removal of a single Beech which is subject to severe decay, however there are no removals required directly to facilitate the proposed development. Additional planting is proposed via a landscaping scheme, and appropriate conditions can regulate the implementation and specification of that landscaping. In this regard, the proposal is considered to accord with the provisions of policy NE5 (Trees and Woodlands) of the ALDP. There would be no adverse impact on the Green Space Network, with existing trees along the development frontage being retained where their condition allows. The provision of new planting along this development frontage will serve to enhance the network in this location,

consistent with policy NE1 (Green Space Network). The North East Scotland Biological Records Centre highlights no species of note that would be impacted by the development, ensuring compliance with policy NE8 (Natural Heritage).

Flooding, drainage and water quality

A Drainage Impact Assessment (DIA) has been submitted in support of the proposal. This demonstrates appropriate means of drainage for the site, and has been accepted by the Council's Flooding and Coastal Protection Team, though it is considered necessary to use a planning condition to address concerns relating to the manner in which any land drainage discovered during construction will be dealt with. A supplementary statement to the DIA was provided, and the condition will require compliance with a fully detailed statement which expands on this. The siting of the development relative to the already constructed SuDS pond is such that it is used as a landscape feature as well as a functional piece of drainage infrastructure. The agreed Drainage Impact Assessment and supplementary statement relating to the treatment of any severed land drainage is sufficient to demonstrate accordance with policy NE6 (Flooding, Drainage and Water Quality) of the ALDP. Measures to prevent pollution of the water environment during construction should also be detailed in a Construction Environment Management Plan, to be submitted to the planning authority and agreed in consultation with SEPA prior to commencement of works.

Low and Zero Carbon (LZC) Buildings

No details of the manner in which the proposed new buildings would demonstrate accordance with the Council's policy and guidance on reducing carbon emissions have been provided, however such submissions can be secured via an appropriately worded condition should members resolve to grant planning permission. This approach can ensure compliance with policy R7 (Low and Zero Carbon Buildings) and the associated supplementary guidance.

Water Efficiency

Making efficient use of water is important for reasons of sustainability, climate change adaptation, and in protecting wildlife and natural resources. The Aberdeen City and Shire Strategic Development Plan 2014 encourages all new developments to use water-saving technology in order to avoid increasing the level of extraction from the River Dee. This requirement is incorporated into the Local Development Plan via policy R7 (Low and Zero Carbon Buildings and Water Efficiency) and the associated 'Resources for New Development) Supplementary Guidance.

Refuse and Recycling

Swept-path analysis has been provided to demonstrate that refuse vehicles can access the site satisfactorily. The bin store serving the Care Home is close to the site access, allowing for easy collection.

Matters raised in representations & community council response

In responding to the matters raised in representations, it is important to note that this assessment concerns the application currently presented. Earlier decisions relating to the initial allocation of the Pinewood and Hazledene sites for development; the use of Hazledene Road as the access for 50 dwellings within Zone A and others have been established by earlier decisions taken on the merits of those cases at the time. That a development is consented in one form does not preclude alternative proposals coming forward, and it is the planning authority's role to assess any such alternatives on their merits, with due regard for the provisions of the Development Plan and any other identified material considerations. The site has been allocated for development through a Local Development Plan, and therefore is no longer zoned as Green Belt, nor Urban Green Space. A Transport Statement was provided in support of the application, and it is noted also that

the previous grant of planning permission has established that the local road network was capable of supporting access to 50 homes along Hazledene Road, subject to upgrading works conditioned as part of that approval (ref. 130994). The Council's Roads Development Management Team have assessed the submitted Transport Statement, and note that acceptable vehicular visibility has been demonstrated from the proposed access, recommending that a condition is used to ensure that the relevant visibility splays are maintained. It is recognised that Hazledene Road in its original form would not have been suitable to access the site without improvement, however this was secured via a condition attached to the earlier grant of permission for residential development at Zone A. A similar condition may be utilised to preclude occupation of any buildings unless works for the improvement have been completed. The maintenance of adopted roads, including sections upgraded to adoptable standard to support development and subsequently adopted by Aberdeen City Council in its role as Roads Authority, is the responsibility of the local Roads Authority. Any remaining private sections of this road would be the responsibility of the respective owners, however for the absence of doubt Hazledene Road is to be brought up to adoptable standard from its frontage eastwards. Concerns regarding the level of parking provision are noted, and are addressed earlier in this report. As parking provision is considered to be sufficient to meet the needs of the proposed development, there is no expectation of significant overspill parking onto surrounding streets. Matters of scale, design, density and visual impact are also considered in the 'Design' and 'Amenity' sections of this report. It is understood that the road verge referred to forms part of the adopted road, and therefore works for access or improvement to the road would be subject to Roads Construction Consent processes.

Provision for refuse storage and collection is made within the site, and is considered to be satisfactory in principle. There is adequate space within the site for refuse vehicles to manoeuvre, and the detailed specifications of refuse stores can be secured by condition, for further agreement in consultation with the Council's Waste Strategy team. Consultation with the Council's Environmental Health team has raised no concerns regarding noise nuisance, beyond a recommendation that a noise assessment is undertaken in relation to any Local Extract Ventilation (LEV) system for agreement prior to installation. The levels of noise associated with a use of this type are not anticipated to represent any threat to residential amenity in the surrounding area, with staff and visitor movements likely to occur during times consistent with a predominantly residential area. Light pollution has not been highlighted as a concern in consultation with Environmental Health. Generally, the proposals involve lighting appropriate to a residential area, and it is not considered that there is any apparent threat to amenity.

Comments relating to the applicants' motives and speculative concerns expressed in relation to future vehicular connections through the site from Hazledene Road to the new roundabout on Countesswells Road are not material to consideration of this application, as they do not form part of the proposal before the planning authority.

The detail of boundary enclosures to the site can be secured for further agreement through use of a planning condition. Similarly, maintenance of landscaped areas throughout the site would be the responsibility of the landowner. The previous residential developments across Pinewood and Hazledene were approved subject to conditions requiring details of any arrangements for the management and maintenance of trees and landscaped areas, so it is appropriate to use such a condition to require submission of a revised scheme demonstrating detailed proposals.

The site does not lie within any designated Conservation Area. Subject to the necessary upgrading works to Hazledene Road, and the provision of the identified pedestrian links within the site to the wider pedestrian infrastructure, it is considered that the site presents opportunities for active travel and recreation, consistent with SPP. Comments received in relation to inaccuracies in the supporting statement with respect to bus services in the area appear to be based on a misunderstanding of the content – this presents a comparison between a policy position and the reality of existing services. The existing path leading through trees to bus services on

Craigiebuckler Avenue is designated as a Core Path, and the contributions secured via developer obligations could be utilised for upgrading of that route in a manner sensitive to the surrounding trees and associated root protection areas.

In terms of the application form submitted, it is considered that no change of use is proposed as the proposal involves the construction of buildings for a specific purpose, within a specified use class, rather than representing a 'change of use' of land or buildings. The applicants' Planning Manager has signed the submitted form, and it is considered that this has clearly been done on behalf of the company.

Scottish Water have been consulted, but have not responded in relation to sewer capacity. Nevertheless, confirmation of existing capacity at the planning stage does not reserve that capacity for a particular development proposal, and there is a separate application process to be gone through with Scottish Water to secure connections. The current application does not require consultation with SEPA, and in such cases planning authorities are generally referred to SEPA's standing advice to planning authorities for smaller-scale proposals. The potential for pollution of local watercourses via discharge of silt during construction is noted, and it is therefore recommended that a Construction Environment Management Plan is prepared for agreement with the planning authority, in consultation with SEPA, prior to commencement of works. Historic and ongoing drainage concerns in relation to this site are noted, however the planning authority is obliged to consider the proposal before it. In this instance, the Council's Flooding and Coastal Protection Team have commented on the submitted Drainage Impact Assessment and have sought further confirmation in relation to the means of dealing with any land drainage discovered during excavations. A statement from Dandara in relation to this has been approved, and will form the basis of a condition attached to any consent granted. Subject to these controls, it is considered that the proposal demonstrates its compliance with policy NE6 (Flooding and Drainage).

Financial contributions towards healthcare provision, based on the impact of the development and proportionate to its scale, are noted in the summary of the Developer Obligations team's report. It is noted that the proposed elevations do not indicate any rooftop plant associated with the inclusion of a lift within the building. It will therefore be necessary for full details of any rooftop plant associated with the development to be submitted to and agreed in writing by the planning authority prior to commencement of any works.

Heads of Terms of any Legal Agreement

A legal agreement will be required to secure the financial contributions identified above, totalling £76,719.

Time Limit Direction

The standard time period of 3 years for implementation of consent is considered appropriate, therefore no time limit direction is warranted.

RECOMMENDATION

Willingness to approve with conditions, subject to conclusion of a legal agreement securing the following developer obligations:

- **Core Path Network (£18,079);**
- **Open Space (£8,894); and**
- **Healthcare (£49,746 to contribute towards a new health centre at Countesswells).**
- **Total £76,719**

REASON FOR RECOMMENDATION

The principle of development on this site is established through its allocation via the Local Development Plan and the earlier granting of planning permission. The introduction of a Care Home, which shares many characteristics of mainstream residential development, is considered to be complementary to residential use, and would not give rise to any significant conflict with, or nuisance to, the enjoyment of existing residential amenity, consistent with the provisions of policy H1 (Residential Areas) of the Aberdeen Local Development Plan (ALDP). Subject to the necessary upgrading of Hazledene Road, which is already underway in connection with the earlier residential consent, and connections to the wider path network in the area around the site, the development will be appropriately accessible via both motorised and sustainable means, consistent with policies T2 (Managing the Transport Impact of Development), T3 (Sustainable and Active Travel) and NE9 (Access and Informal Recreation).

The design and scale of the buildings has been carefully considered to demonstrate compatibility with their surroundings. In particular, the Care Home takes advantage of changes in levels to minimise any obvious difference in scale relative to the surrounding housing. The siting of the buildings allows for the landscaped frontage of the site to largely remain, with proposals for landscaping around the building to enhance its setting, consistent with policies D1 (Quality Placemaking by Design) and D2 (Landscape) of the ALDP. Impacts on existing trees are limited, with no removals required directly to facilitate the development. Additional planting is also proposed, and it is considered that the scheme demonstrates compliance with policy NE5 (Trees and Woodlands).

A detailed Drainage Impact Assessment (DIA) has been provided in support of the proposal, however a further conditions is considered necessary to manage the approach to dealing with any land drainage discovered in the course of development. Subject to these controls, and the further submission of a Construction Environment Management Plan to address the potential for pollution and identify necessary mitigation and control measures, the proposal is considered to be consistent with policy NE6 (Flooding, Drainage and Water Quality).

Potential nuisance from cooking and associated extraction can be addressed through conditions, requiring implementation of an appropriate scheme of filtration and extraction, including consideration of noise arising from any such system prior to its implementation. Matters raised by the local Community Council and in representations from members of the public are addressed in the body of this report, but are not considered to warrant refusal of the application.

CONDITIONS

1. Finishes/Materials

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

2. Boundary Enclosures

that no development shall take place unless a scheme detailing the proposed site and plot boundary enclosures for the development site, including extensive reuse of granite doughtings in boundary walls and appropriate proposals for the gating of paths to the rear of terraced properties, has been submitted to the planning authority and subsequently approved in writing. Thereafter no unit within a phase shall be occupied unless the boundaries for that phase have been provided in accordance with the agreed scheme, or such other drawings may subsequently be submitted and approved in writing by the planning authority - in order to ensure that boundary enclosures utilise doughted granite and are appropriate to the character of this site and the wider conservation area.

3. Refuse Scheme

that no development shall take place unless a further detailed scheme of refuse and recycling storage has been submitted to and approved in writing by the planning authority. Thereafter no unit within a given phase shall be occupied unless the refuse and recycling storage for that phase has been provided in accordance with the said scheme – in order to preserve the amenity of the neighbourhood and in the interests of public health.

4. Footpath links

That the residential care home hereby approved shall not be brought into use unless the following pedestrian routes have been laid out in full and made available for use:

- (a) A footpath within the site, providing a connection to the Care Home's main entrance from the newly constructed pedestrian footway on Hazledene Road. The details of this route must be submitted to and agreed in writing by the planning authority prior to works commencing; and
- (b) The path to the south of the care home, shown on drawing *A_APL_112-Rev L*, which shall be constructed to 3m width, surfaced and lit.

Reason: To ensure that adequate provision is made for safe pedestrian routes, and to promote sustainable travel, as required by policy T3 (Sustainable and Active Travel) of the Aberdeen Local Development Plan.

5. Visibility Splay

That the residential care home hereby approved shall not be brought into use unless the visibility splay demonstrated on drawing *ABR_HAZ_001-Rev A* has been provided. Thereafter, the land falling within that visibility splay shall be kept clear of any obstacles (including buildings, structures, trees or shrubs) exceeding 1m in height – in the interests of ensuring appropriate visibility for vehicles at the site access.

6. Parking provision

That the residential care home hereby approved shall not be brought into use unless the car, motorcycle (including a secure fixed point) and bicycle parking areas serving the building have been constructed, drained, laid-out and demarcated in accordance with drawing *A_APL_112-Rev L* of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of vehicles ancillary to the development hereby granted approval - in the interests of public safety and the free flow of traffic.

7. Local Extract Ventilation (LEV) system

That no development pursuant to this grant of planning permission shall be undertaken unless (i) full details of proposed cooking activities; (ii) an assessment of the requirements for extract ventilation in accordance with relevant guidance (for example: DEFRA document 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' and associated references); (iii) proposals for an appropriate system of Local Extract

Ventilation (LEV) system; and (iv) a noise assessment by a suitably qualified noise consultant have been submitted to and agreed in writing by the planning authority. Thereafter the buildings hereby approved shall not be occupied unless any LEV scheme and noise mitigation measures so agreed have been installed and are fully operational – in order to ensure that cooking fumes are adequately filtered and dispersed and that residential amenity is protected.

8. Restriction to Care Home use

Notwithstanding the terms of use class 11 (Assembly and Leisure), the Care Home building hereby approved shall be used only for this specified purpose and no other purpose within Class 10 (non-residential institutions) of the Town and Country Planning (Use Classes) (Scotland) Order 1997 without a further grant of planning permission – on the basis that the proposal has been assessed on this specific basis, with developer obligations established on the basis of the age demographic associated with such premises.

9. Deliveries and Servicing

That service deliveries and collections to the premises and the disposal of refuse to receptacles outwith the fabric of the building shall not take place outwith the hours of 0700 to 1900 Monday to Saturday and 1000 to 1900 on Sundays - in order to protect surrounding residents from noise disturbance at unreasonable hours.

10. Upgrading of Hazledene Road to adoptable standard

That no development shall be undertaken unless a finalised scheme of works necessary to bring Hazledene Road up to adoptable standard has been submitted to, and approved in writing by, the planning authority. Thereafter, no building within the site shall be occupied until works for the upgrading of Hazledene Road have been implemented in full, in accordance with the scheme so agreed - in order that the road improvement works necessary to provide appropriate access to the site have been carried out in advance of occupation.

11. Landscaping – Management and Maintenance of Trees/Landscaped areas

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

12. Scheme of Tree Protection

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

13. Detailed Scheme of Landscaping

That no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of landscaping for the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities,

locations, species, sizes and stage of maturity at planting - in the interests of the amenity of the area.

14. Drainage

That in the event that any land drainage is encountered during excavations these drains will be diverted round any excavations that block their original line and redirected to their original outlet. Any groundwater spring which becomes evident during construction which cannot be controlled by existing land drains shall be captured and piped to the most appropriate watercourse. – in the interests of ensuring adequate drainage for the site.

15. Low and Zero Carbon Policy Compliance

that none of the buildings hereby approved shall be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' policy, as contained in the 'Resources for New Development' supplementary guidance has been submitted to and approved in writing by the planning authority for that building, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full - to ensure that this development complies with requirements for reductions in carbon emissions specified in the City Council's relevant published Supplementary Guidance.

16. Construction Environment Management Plan

No development shall be undertaken until such time as a site specific environmental management plan (EMP), incorporating detailed pollution prevention and mitigation measures for all construction elements potentially capable of giving rise to pollution during all phases of construction, has been submitted to and approved in writing by the planning authority, in consultation with SEPA. Thereafter all work shall be carried out in accordance with the approved plan - in order to control pollution of air, land and water.

Note: full details of matters to be included in the EMP can be found on SEPA's website.

Advisory Notes

1. Recommend that hours of construction are restricted to 7am-7pm Mon-Fri and 8am-1pm Sat in order to avoid adverse impact on amenity.
2. Recommend that measures to mitigate impact arising from dust during construction are considered prior to commencement of works.