

DEVELOPMENT MANAGEMENT SUB COMMITTEE

ABERDEEN, 10th March, 2010. - Minute of Meeting of the DEVELOPMENT MANAGEMENT SUB COMMITTEE. Present – Councillor Dean, Convener (hearing only); Councillor McCaig, Vice-Convener; and Councillors Adam, Clark, Cormie, Farquharson (substituting for Councillor Milne), Jaffrey (hearing only), Penny and Robertson.

1. OAKBANK SCHOOL SITE, MID STOCKET ROAD, ABERDEEN – OFFICE BUSINESS PARK, SUPPORTING USES AND RESIDENTIAL. Reference was made to Article 5 of the Minute of Meeting of Aberdeen City Planning Committee on 23rd July, 2009, at which time there was under consideration a report by the Head of Planning and Infrastructure on the application (090566) for planning permission to demolish the existing buildings on the former Oakbank School site at Mid Stocket Road, Aberdeen and to erect on the cleared site, an office business park with supporting uses (gymnasium, café, convenience store and children’s nursery), four residential properties and associated access, parking, landscaping and ancillary development. The report before members at that time advised that the application represented a departure from the Development Plan by reason of the intention to introduce a significant commercial use within a predominantly residential area. The resolution of the Committee at the meeting in July 2009, was to defer consideration of the application and to remit to the Convener, in consultation with the Head of Democratic Services and the Head of Planning and Infrastructure, to make the necessary arrangements for the holding of a departure hearing in accordance with the guidance contained within Planning Advice Note 41 – Development Plan Departures.

The Development Management Sub Committee met this day to conduct the departure hearing, in advance of which they visited the application site where the Senior Planner in attendance (the case officer) proceeded to give them a tour of the site during which he identified the locations of the three large office buildings proposed (Buildings 1, 2 and 3); the position of the main vehicular access on Mid Stocket Road; and the location of the four dwellinghouses which form part of the application proposal under consideration. Also highlighted by the case officer was the general change in ground levels throughout the site which sloped down from west to east; the relationships between the main office buildings proposed and the nearest dwellinghouses on Woodstock Road, Oakhill Road and Cairnaquheen Gardens; the likely trees to be felled or affected by the development proposal; and the general height of the buildings proposed in the context of the existing structures which are to be demolished.

Upon their return to the Town House and at the appointed time, the Convener opened the hearing with a welcome to all present.

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At this point Councillor Dean declared an interest in the matter under consideration by reason of her position as a Member of the Board of NHS Grampian, one of the objectors to the application. Councillor Dean thereupon withdrew from the meeting and took no further part in the proceedings. The Chair was taken by the Vice-Convener, Councillor McCaig.

Councillor McCaig having also welcomed all in attendance, made reference to the hearing programme which contained the names of all the speakers and the order in which they would be heard. He then invited the first speaker to proceed.

The Sub-Committee thereupon heard **Garfield Prentice, Senior Planner, Aberdeen City Council** who advised as follows:-

Introduction

This development plan departure hearing relates to a planning application for detailed planning permission for the construction of an office business park and associated facilities and the construction of four houses. The initial report to the Aberdeen City Planning Committee on 23rd July, 2009, established the need for this hearing.

The Site

A detailed description of the site is provided in the report included in the agenda papers, but briefly, the site is situated on the south side of Mid Stocket Road, comprises the grounds and buildings of the former Oakbank School and is bounded on three sides by residential properties. It extends to 3.8 hectares (9.4 acres) and generally slopes down from west to east, with the difference in levels being almost 15.0 metres. The site comprises several buildings, a playing pitch and almost 100 trees. The main school building is a substantial and predominantly two-storey granite structure located 45.0 metres back from and at right angles to Mid Stocket Road. Next to it is the Governor's Lodge which is a listed building. There are several other buildings of various styles and sizes dating from the 1960s and 1970s. The main entrance into the site is from Mid Stocket Road.

The Planning Application

The application was originally for office development comprising three separate buildings with a combined gross floor area of 22,300 sqm (240,030 sq ft) and five hundred and seventy-one car parking spaces. The development was considered to represent a departure from the development plan in relation to Policy 40 of the

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Local Plan and was advertised as such in the Aberdeen Citizen. Subsequently an amended proposal was lodged (November last year). Each building is now smaller, reducing the total floor area by just over 4,000 sqm to 18,228 sqm (196,205 sq ft). The height of Building 2 is lowered from four to two storeys. The positions of Buildings 1 and 2 are also adjusted. The amount of car parking was also reduced. Neighbours were notified of the amended proposals. In January further minor adjustments were made to the development together with an increase in the number of parking spaces. However, further re-notification of neighbours or consultation with the Community Council was not required as the adjustments to the design and position of the buildings are not significant and the increase in parking raises no additional issues.

The three buildings would be arranged in a U-shape with the courtyard area between the buildings used mostly for access and car parking. Considerable changes to the ground levels are proposed across most of the site. A total of six hundred and twenty-two car parking spaces would be provided, of which four hundred and thirty-five would be at basement level with one hundred and eighty-seven on the surface. The basement car park would be under each of the three buildings. Access to the development would be from Mid Stocket Road, utilising the existing main entrance. The entrance would be widened and upgraded to include the provision of traffic signals on Mid Stocket Road.

The buildings would have a contemporary appearance and would be finished in a mix of large expanses of glass and areas of aluminium cladding and polished granite.

Building 1 would be located parallel to and approximately 32.0 metres from the boundary with the houses on Cairnaquheen Gardens, although the basement car park would extend to within 17.5 metres of that boundary. The building would be 19.0 metres back from Mid Stocket Road. It would be 95.0 metres long and 18.5 metres high. It would be mostly three storeys with a small section being four storeys plus the basement car park which, to the Cairnaquheen Gardens side, would be above existing ground levels.

Building 2 would be two storeys high and located parallel to and approximately 16.0 metres from the boundary with the houses on Oakhill Road. It would be approximately 97.0 metres long and 13.5 metres high.

Building 3 would be located parallel to and 17.0 metres at the nearest point from the boundary with the houses on Woodstock Road and 47.0 metres back from Mid Stocket Road. It would be 95.0 metres long and 14.5 metres high. It would be mostly three storeys with a small section being four storeys high.

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Four large five-bedroom houses are also proposed, which would front on to Oakhill Road. The houses would be one and one-half storeys high.

The proposal would result in a total of twenty trees being felled, including two street trees on Oakhill Road. All of the trees within the site are protected by a Tree Preservation Order (No. 180). Four Beech trees of between 17.0 and 26.0 metres in height would be removed at the entrance from Mid Stocket Road. Other trees to be felled are between 8.0 and 14.0 metres high. The applicant has proposed the use of specific building techniques for constructing the access road, the basement car park and the surface parking deck in order to minimise the impact on the remaining mature trees on the site.

The applicant has agreed to a planning gain package and to the making of a financial contribution to fund off-site works to the road network and to improve the playing capacity of other Council sports pitches.

Consultations

The usual consultations on the application were undertaken. Mr. Smith will speak to you regarding the access arrangements, car parking and traffic impacts of the development.

Rosemount and Mile End Community Council has objected to the application. It states that the office complex would be out of keeping with the residential character of the area. The Community Council also considers that there would be insufficient parking for the 1,500 workers that would occupy the offices, which would result in overspill parking into the adjacent streets. The Community Council is also concerned that the traffic generated from the proposed development would be a dangerous addition directly opposite two schools, as well as adding to the existing volume of traffic.

Sportscotland currently objects to the application as there is a presumption against the loss of playingfields. However, it is understood that the objection will be lifted following the applicant offering to provide a financial contribution towards the improvement of the playing capacity of other Council pitches.

SEPA and BAA comments relate solely to technical matters.

Representations

In total two hundred and forty-five people/households submitted letters of objection to the proposed development many of which submitted letters in response to both the original and amended proposals.

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One hundred and eighty-one letters were submitted in relation to the original proposal and a further one hundred and five in response to the amended proposal. One person who objected to the original proposal withdrew her objection.

The addendum report in the agenda papers provides a full list of all the grounds of objection to both the original and amended proposals. As you will see, the list of objections is quite extensive. However, the main issues can be summarised as follows:-

- the site is zoned in the local plan for residential use and should not be used for commercial purposes;
- a development would be contrary to numerous local plan policies, the Oakbank Development Brief and National Planning Policy;
- there is no justification for departing from local plan policy;
- the size of the development represents an over-development of the site;
- the height of the buildings would tower over existing houses and would adversely affect the skyline and the streetscape;
- the design of the buildings would not reflect the domestic character of other buildings in the area;
- the buildings would be too close to the existing houses resulting in a loss of amenity for the residents due to overlooking, loss of light, reduced security and noise disturbance;
- there would be insufficient on-site car parking leading to overspill parking on adjacent streets;
- the additional traffic caused by the development would cause congestion on surrounding streets and road safety hazards;
- the proximity of the development and its access on Mid Stocket Road would cause a safety hazard for pupils and parents attending the new Mile End School;
- the loss of trees, an area of greenspace and a recreational facility;
- the proposal would result in the loss of the original school building and the listed building (the Governor's Lodge);
- new office developments should be concentrated in existing business areas;
- it is claimed that there is currently a large amount of vacant office space in Aberdeen and therefore no need for the development.

Planning Policy and Guidance

I will now set out briefly the planning policies and national planning guidance that are relevant to the assessment of this proposal.

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Three key objectives of the Aberdeen City and Shire Structure Plan are:-

- to provide opportunities which encourage economic development and create new employment in a range of areas that are both appropriate for and attractive to the needs of different industries;
- to make sure new development maintains and improves the regions important built, natural and culture assets;
- to make sure that new development meets the needs of the whole community, both now and in the future and makes the area a more attractive place for residents and business to move to.

Aberdeen Local Plan contains several policies that are directly relevant to the consideration of this proposal.

In summary, the policies relate to preserving the character and amenity of residential areas, ensuring high standards of design, the protection of urban green space, retaining granite buildings, allowing appropriate new uses for listed buildings, protecting trees, ensuring new development does not compromise existing or potential recreation and sports facilities and various policies relating to transport and access matters.

The government's Scottish Planning Policy (SPP) is a relevant material consideration, in particular the general policy on sustainable development and the subject planning policies relating to economic development, the historic environment, transport, landscape and natural heritage and open space and physical activity.

Oakbank development brief is also a relevant material consideration. It sets out the Council's preferred option for the redevelopment of the site.

Main Considerations

I will now outline the main planning considerations. Planning legislation requires that in determining a planning application the determination should be made in accordance with the development plan unless there are material considerations that indicate otherwise. The proposal constitutes a "major development" as defined in the "Hierarchy of Developments Regulations" – The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. It is considered that the development represents a departure from the development plan due to the scale of the development within an area designated as residential in the local plan. The application requires to be assessed against the policies and guidance mentioned previously and any other relevant material considerations, including the issues raised in the written representations and by those appearing at the hearing today. The completion of the assessment will determine whether or not there are sound

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reasons for approving the application contrary to the development plan.

Important issues to be taken into account include –

- how the proposal responds to the local plan policies and the Development Brief for the site;
- the impact on the residential character and amenity of the area;
- the siting, scale and design of the buildings;
- the visual impact of the development;
- the impact on the trees within the site;
- the loss of the listed building and the main school building;
- the loss of open space and pitch;
- the access and parking arrangements;
- the traffic impacts of the development;
- the benefits of the development to the economy of Aberdeen.

In conclusion, the application will be assessed rigorously in terms of planning policy, the details of the proposal and the economic, environmental, amenity and traffic impacts. This will be reflected in a subsequent report which will be prepared for consideration by elected members in due course.

Next to address the Sub Committee was **Andrew Smith, Principal Engineer (Developments and Traffic), Aberdeen City Council** who advised, as follows:-

Location

The site lies within the residential area of Mid Stocket and is bounded to the north by the local distributor road of Mid Stocket Road and on its remaining boundaries by the rear gardens of Woodstock Road, Cairnaquheen Gardens and Oakhill Road.

Mid Stocket Road serves as a distributor road and carries moderate levels of traffic during the peak periods. The local residential access roads, with the exception of Raeden Park Road and Cairnaquheen Gardens, carry relatively low levels of vehicular traffic.

Raeden Park Road and Cairnaquheen Gardens, function as general access roads and carry moderate levels of commuter traffic in the peak periods with a bus service operating on Raeden Park Road. Cairnaquheen Gardens has been traffic calmed in recent years reflecting the level and nature of commuting through traffic.

A detailed Transportation Assessment has been submitted in support of the application and was revised to address the concerns of roads officers.

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Site Access

The vehicular and pedestrian access to the proposed office development is to be taken from Mid Stocket Road on the line of the existing access to the site which lies approximately 75.0m to the east of Woodstock Road. The existing access is proposed to be upgraded to form a traffic signal junction with Mid Stocket Road and would be seen to provide safe access to the development site. The proposed traffic signal junction would incorporate pedestrian facilities and provide safe access to the application site for all users. A pedestrian footway adjacent to the carriageway would extend from the new junction layout to Woodstock Road and provide access to the wider network. A controlled pedestrian crossing is currently being constructed on Mid Stocket Road immediately to the west of the proposed access junction. Should the application proceed, the pedestrian crossing would be removed and be replaced by a signalised junction facility.

Residential development comprising of four housing units is proposed on the southern boundary of the site and will take access from Oakhill Road which is considered acceptable.

Site Layout and Parking

The internal layout of the site provides for suitable access and circulation for both vehicular and pedestrian movements to the office and ancillary uses. A standard 5.5m wide internal access road is proposed and would provide for traffic movements through the site and to the car parking areas. A network of formal and remote footpaths is proposed and will allow safe and adequate pedestrian circulation and will connect to the wider network via Mid Stocket Road.

Car parking within the site is to be accommodated by the provision of surface and underground spaces, with a total of six hundred and eight spaces being provided. The number of spaces proposed is the maximum permitted with regard to adopted parking standards and in this respect is accepted. However this level of parking would not be seen to promote sustainable travel to the site and would require to be supported by a robust and proactive Green Transport Plan linked to targets and monitored through a legal agreement. Local concern has been raised with respect to overspill parking in the surrounding residential streets. However through the provision of on-site parking to maximum standards, overspill parking from the proposed development is unlikely to have any significant impact locally.

Secure cycle parking is to be provided throughout the site with locker, shower and changing facilities also provided to support sustainable modes.

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Accessibility By Sustainable Modes

As noted earlier pedestrian access will be taken from Mid Stocket Road and four points of access are proposed along the northern boundary of the site and will give good accessibility to the wider footway network. The pedestrian crossing facility within the proposed traffic signal junction would provide safe access across Mid Stocket Road and access and to public transport services. A further combined pedestrian/emergency vehicle access is to be provided from Oakhill Road, centrally between the residential units, linking to the wider network on the southern boundary.

The application site is well served by public transport with frequent services within a 400m walk distance and is acceptable. Additional local bus services are within a reasonable walk distance of the site and provide a good level of accessibility by public transport. Officers have raised a concern with regard to safe pedestrian access across King's Gate to the bus facilities on that corridor. To address this concern the applicant has indicated a willingness to install a controlled pedestrian crossing on King's Gate to the east of Woodstock Road and this facility would provide the necessary safe pedestrian access.

Traffic Generation and Impact on the Road Network

The Transportation Assessment has considered the impact of vehicular traffic on the local road network and was revised in line with officer requirements. A robust traffic generation and distribution assessment was undertaken and has allowed for traffic associated with the relocation of Mile End School. The traffic distribution and impact was considered over the wider network and extended as far as King's Gate, Westburn Road, A90 North Anderson Drive and Argyll Place. Following a traffic distribution exercise, junction assessments were carried out and the impact on the network capacity considered.

As noted earlier, existing traffic flows on Mid Stocket Road are considered to be moderate in volume with the junctions on the local road network operating below capacity in the peak periods. The location of the development site does allow for the distribution of traffic movements across the network and limits the relevant impact on individual junctions.

Whilst the traffic generated by the application will be significant and in the order of three hundred and fifty traffic movements in the peak period and will have an impact on the network, the junction analysis has shown that the generated traffic can generally be accommodated without any significant detriment to junction capacity and operation.

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However concern had been raised with the applicant regarding the practical operation of the junction at Westburn Road with Raeden Park Road. The concern of officers relates to the blocking of the junction in the am peak period. Raeden Park Road is approximately 7.0 metres wide and does not readily accommodate the two-way passage of vehicles due to parking within the designated bays on the east side of the road and has previously been the subject of requests for widening.

The applicant has indicated a willingness to provide a financial contribution towards a future widening of the junction approach on Raeden Park Road and this would in the longer term mitigate the development impact at this junction.

Development traffic taking access from the west is anticipated to use the residential roads of Woodstock Road, Woodhill Road, Oakhill Road and Edgehill Road and officers have raised a serious road safety concern on this matter. To mitigate the road safety implications of development traffic, I feel that it would be necessary to introduce traffic calming in these roads and the applicant has indicated agreement to this requirement should the application be approved.

With respect to the trunk road, it is my understanding that the Trunk Road Authority does not consider the application to have a significant impact on the A90 and have no further comment on the application with respect to the vehicular traffic impact.

General Roads Issues

A Green Transport Plan (GTP) would be a condition of any approval and also subject to monitoring and review through a legal agreement. The Trunk Road Authority has indicated support for the implementation of a proactive GTP. The implementation of a GTP will assist the delivery of sustainable travel to the development site but is not well supported by the level of parking that is proposed. An alternative would be to reduce the parking provision on site, supported by a controlled parking zone within the surrounding local roads that remain uncontrolled. However the preferred option of the applicant is to provide parking to the maximum allowable standards and that in itself would not attract an objection from the roads authority.

Concern and objection has been raised with regard to road safety on Mid Stocket Road and Raeden Park Road, particularly in relation to school children taking access to the new Mile End School.

With respect to road safety, a part time mandatory 20mph speed limit is in operation on both Mid Stocket Road and Raeden Park Road and restricts speeds during school access times. Further traffic calming of these roads has previously

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been considered but has not progressed as these roads are part of emergency service response routes. The surrounding residential roads to Mid Stocket Road are subject to either full time mandatory or advisory 20mph speed limits and enhanced road safety within this area.

As part of the school project, three controlled pedestrian crossings are currently being installed to provide safe crossing facilities to the school, these being on Raeden Park Road, Mid Stocket Road to the east of Woodstock Road and on Mid Stocket Road to the east of Cairnaquheen Gardens.

Whilst additional traffic would be generated by the proposed development on the local road network in the peak periods, the existing 20mph speed limits together with the provision of controlled crossing facilities to the school, are considered to provide safe pedestrian access.

That concludes the transport statement.

The applicants, **Carlton Rock Limited**, were represented at the hearing by **Baxter Allan**, a Director of Keppie Planning and Urban Design Limited, Glasgow, who was accompanied by fellow Director, **Martin English**, colleague **Jon Simmons** (Landscape Specialist) and **Neil Dempsey**, a traffic specialist from Waterman Boreham, Glasgow. Mr. Allan began his address to the Sub Committee by referring to the display boards present at the hearing, which were the same boards that were used at a public meeting in the Rosemount Community Centre in October, 2009, to explain the development scheme at Oakbank, as it was at that time. As Mr. Allan pointed out, the scheme has since been modified as outlined by the Council's planning officer in his presentation earlier in the proceedings. Mr. Allan advised also that his statement would be illustrated by a powerpoint presentation which it was intended should highlight the key aspects of the proposal under consideration.

Mr. Allan began his statement to the Sub Committee by referring to the fact that the site at Oakbank was now redundant with the school seeking to re-locate elsewhere within the city; and to the number of empty buildings on the site which included the un-listed former school building, the category "C" listed Governors House and a number of other, now almost derelict, outbuildings mostly dating from the 1960s or 1970s. He pointed out that one of the key features of the site was the strong landscape framework and tree belt which formed the northern and western boundaries and which also extended in to the centre of the site, in front of the former school building. The redundant and now overgrown sport pitch on part of the site was also highlighted as was the "gap site" on the Oakhill Road frontage which it was intended be infilled to complete the residential streetscene at that location. The general location of the site in close proximity to the A90 trunk road

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(North Anderson Drive) and near a variety of bus routes also, in Mr. Allan's view, rendered the site sustainably accessible.

From an economic development perspective, Mr. Allan stated that a development of the quality that was being presented to the Sub Committee represented a massive investment in the economy of Aberdeen City and also an opportunity to create an unrivalled high quality Grade A office environment, severely lacking in the right locations within the city. He went on to add that the proposals provided the opportunity to create up to 1200 jobs and would represent a major contribution to the seven priorities of the Aberdeen City and Shire Economic Forum's Manifesto, including the aim to have Aberdeen as the location of choice for company headquarters. The recently published Employment Land Audit 2009, covering both the City and the Shire, was then referred to by Mr. Allan who felt that it illustrated a disappointing picture for the city with its employment land located in the peripheries and amongst industrial estates.

Mr. Allan went on to express the view that demand exists for central Grade A office space, away from the peripheral industrial estates; that Carlton Rock had achieved a prime headline office rent with their letting of 28 Albyn Place in 2009 – a situation which brings Aberdeen Rental Values in line with Edinburgh; and that the Oakbank proposal had been highlighted within a particular company's office market report, confirming that the Grade A office development proposed was the only major new office application submitted in 2009 and would help redress the balance of city-centre offer relative to the large supply of out of town floor space. Mr. Allan at this point emphasised that, in short, the approval of the application under consideration would be a very healthy "shot in the arm" for the Aberdeen office market, for the significant benefit of the city as a whole. Having "set the scene" as he put it, Mr. Allan invited his colleague Mr. English to advise the Sub-Committee as regards the key features of the proposed development and the evolution of the scheme over the past year.

Mr. English began by reminding the Sub Committee that the planning authority were required to make their decision in accordance with the development plan unless material considerations indicated otherwise; went on to look at the key planning considerations from the development plan and to demonstrate why the applicant believed this development to accord with these key policy considerations. Mr. English pointed out that the Structure Plan sets out a vision to 2030 for the City and Shire to be an even more attractive, prosperous and sustainable European city region and an excellent place to live, visit and do business; and that one of the key objectives of the plan to achieve this vision was to provide opportunities which encourage economic development and create new employment in a range of different areas that are both appropriate for and attractive to the needs of different industries and that providing high quality business space has an important role to

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play. It was quite clear in Mr. English's view that the proposal under consideration accorded with this objective as it will provide huge encouragement to the office market and the economic development of the city in general. As was mentioned earlier, Mr. English felt that it was clear that there was an imbalance between the central and the out of town office developments that required to be addressed and that the proposed development, centrally located and in close proximity to the west end office area, would increase the range of locations on offer, which in turn would be very attractive to prospective tenants – certainly much more attractive than out of town sites amongst the heavy industrial industry and with very poor transport links. Mr. English also considered that the development would contribute to the strategic priorities of the Aberdeen City and Shire Economic Forum's manifesto, including maximising Aberdeen's intellectual capacity, delivering city centre redevelopment, internationalising the oil and gas industry, attracting and developing skilled people and, most importantly, making Aberdeen City and Shire the location of choice for company headquarters.

As regards the Local Plan, Mr. English referred to the reference by planning officers to the fact that the school site is designated as an Opportunity Site, with a clear acknowledgement that the site will be redeveloped; that while the content of the Design Brief referred to in the Local Plan must be acknowledged, the Sub Committee would appreciate that the Brief was now over 10 years old and was produced under markedly different economic conditions, indeed the Brief merely provides an opportunity for a certain type of development and does not discount alternative development opportunities. In looking specifically at the key Local Plan policy, Mr. English pointed out that the site was covered by Policy R40: Residential Areas and while many of the objectors to the application believe that this policy means that only residential development will be allowed on the site, the Sub Committee should be aware that the policy does indeed allow alternative uses. Specifically, Mr. English went on, the policy provides that other activities will not be permitted unless the City Council can be satisfied that the use would cause no conflict with or any nuisance to, the enjoyment of the existing residential amenity. Addressing the wording of this policy directly, and in response to comments raised by both the Council and local residents, Mr. English drew attention to the fact that the design of the proposals has evolved over a number of months in order to remove any notable conflict with or nuisance to the existing residential amenity. At this point Mr. English highlighted that in this wider residential area there are already major employment generators such as Woodhill House (Council offices) and Foresterhill Hospital (NHS).

At this point Mr. English went on to deal with the major revisions to the scheme which have been made including moving Building 1 significantly further into the site away from the eastern boundary, moving Building 2 further into the site and dropping two storeys, and increasing the level of parking available on site to

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minimise any potential impact upon the surrounding streets. Mr. English then outlined a number of other measures that have been taken over the past year in order to significantly reduce the impact of the development scheme upon the surrounding area and the additional justification that has been submitted to the Council and various consultees. Mr. English advised as follows:-

Governor's House – the proposals include removing the listed building at the entrance of the site with the re-use of any salvageable granite within the office development. He indicated that the removal of the listed building was necessary to allow for the widening of the existing access road to meet roads standards and, indeed, given the levels on the site and the desire to retain the existing protected trees, it was likely that any development would require to upgrade the existing access and the building to be removed. He went on to say that the new Historic Scotland Guidance (2009) allows for the demolition of listed buildings where just one of the following criteria is met, viz:- the building is not of special interest, the building is incapable of repair, the demolition will deliver significant benefits to economic growth or the wider community and repair is not economically viable and it has been marketed reasonably. As part of the supporting case for the application, a detailed Historic Asset Appraisal had been submitted to the Council and to Historic Scotland which found that: (firstly) the building was not of any especially notable age – post dating both the school building and the height of the Arts and Crafts architectural movement; (secondly) the building was certainly not rare, being one of a number of similar style properties in the area and being one of a plethora of Jenkins and Marr buildings in the city; (thirdly) the building was of questionable architectural or historic interest, particularly given the number of internal and external alterations made over the years; and (fourthly) any historical association with the school would be lost with the demolition of the school and the site's redevelopment. Mr. English pointed out that it was noted from the findings of this Historic Asset Appraisal, that a case had clearly been made for the demolition of the building against criteria A and C of the SHEP policy, and therefore the demolition of the building was justified.

On the matters of Transport and Parking, which Mr. English acknowledged as one of the main concerns from objectors, in particular the impact of the development upon traffic and parking in the area, he highlighted the comments from the roads officers that a Transport Assessment has been submitted to the Council and there is agreement that this was a robust assessment that would not result in any notable detrimental impact upon the network, with the junctions assessed as all operating with reserve capacity. In addition Mr. English drew attention to the fact that there was agreement with the Council on a number of other matters, including:- parking and cycling provision which accords with Council and national standards and with the maximum permissible parking spaces being provided; good public transport links with good proximity bus routes and the A90; traffic calming measures to be

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provided by the client on Woodstock Road and Woodhill Road; additional footway to be provided on the south side of Mid Stocket Road; new access junction with pedestrian crossings; controlled crossing to be provided on King's Gate; financial contribution for widening of Raeden Park Road; Green Travel Plan to be provided, including a raft of measures to encourage reduction in car use, particularly single occupancy car journeys. Mr. English emphasised that all of the above measures would bring about significant benefits to the safety of pedestrians in the area, including school children.

On landscape principles, Mr. English advised that the landscape proposals being provided as part of the development were a major feature of the quality of this scheme, which would result in a natural and high quality setting unrivalled within the city. He asked members to note that considerable effort had gone into ensuring that the existing framework of mature trees was protected where possible, with the tree belts on the north frontage, western boundary and central spine being retained with only minimal loss. Also that the trees being lost at the front access point were all due to health and safety and would have required to be removed regardless of the use or level of development being promoted within the site. Mr. English confirmed that a robust assessment of the existing trees has been undertaken and the development would ensure the retention of existing mature trees within the site through "no dig" construction methods; that a significant number of additional trees would be planted to provide a high quality landscape solution to the courtyard, the parking deck and the boundaries to minimise the impact upon neighbouring properties.

On the matter of landscaped constraints, Mr. English referred to the landscape constraints plan which highlighted the root protection area of the trees to be retained and which the design of the scheme largely avoids; confirmed that further to ongoing discussions with the Council, significant additional detail had been provided to demonstrate the techniques to be used to avoid adverse impact upon trees; and stated again that where the root protection areas cannot be avoided, a "no dig" construction technique would be used.

In dealing with the sports pitch, Mr. English referred to the fact that it was used by the school and was not available to the public; that, as such, it was not considered that the proposed development would result in any reduction in the number of pitches available to the public and therefore did not require the facility to be replaced; that, however, the client had agreed to make a financial contribution to the upgrading of existing Council pitches elsewhere in the city; and that that approach had been agreed with both Sportscotland and the Council's own Culture and Sport Service.

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By way of conclusion, Mr. English made reference to the key policy of the Local Plan (Policy R40) and indicated that the applicants believe they have shown that the proposed development has been designed and amended over recent months, to respond to issues raised by the Council and local residents and to ensure that the changes made to the scheme create no conflict with the existing residential amenity; and believe that the suitability of the scheme has been demonstrated by the significant design amendments, by the maximisation of parking spaces and significant improvements to pedestrian safety, by the measures taken to protect the mature landscape framework and enhance the site with significant levels of landscaping and by additional financial contributions to upgrade alternative Council sports pitches. Mr. English also referred to the applicants belief that the development can be seen to accord with the key policies of the Structure Plan and the Local Plan and that should there be any dubiety in the minds of the Sub Committee, the following material considerations were cited in support of the application, i.e.:-

- the significant 1200 jobs and economic boost that the proposed development would deliver to the city;
- the proposals accordance with the Aberdeen City and Shire Economic Forums Manifesto;
- the significant financial contributions that the applicant was making for off-site road improvements, sports pitch upgrades and other miscellaneous planning gain contributions; and
- the fact that the delivery of the site would allow the replacement school to gather pace.

By way of a closing remark, Mr. English stated that the applicants had demonstrated that the application was in accordance with the Development Plan and that through discussion with the Council, consultees and local residents, the design and layout had been amended to respond to issues raised and will deliver a huge economic boost to the city, including approximately 1200 jobs and, as such, commended the application to the Council.

The hearing having now moved to the stage where the members were being addressed by parties who objected to the application, next to address the Sub Committee were **Mile End Parent Council** who were represented by **Mr. Euan Milne** and **Mr. Alex Nicoll**. Mr. Milne began the presentation by referring to the fact that the Parent Council was speaking on behalf of all five hundred children who attended the new Mile End School and their parents; indicating that the new school was attended by both mainstream pupils and pupils with additional support needs; and by indicating also that the school housed four nursery classes, two of which were held each morning and two in the afternoon. Mr. Milne emphasised that Mile End was renowned for the high ratio of pupils who walked to school and home again and identified the major concern surrounding the proposed development at

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Oakbank as being the additional traffic that would be using the surrounding local streets at the same time as children would be walking to school, a matter which was bound to increase the risk of accidents involving those same children. In support of the Parent Council argument, Mr. Milne made reference to the twelve hundred jobs being promised by the developer and the three hundred and fifty additional vehicle movements in the peak hour; referred also to the likely increase in car parking on surrounding streets; and the existing volumes of traffic generated in the local area by Aberdeen Royal Infirmary. The use of the new school for community purposes was also highlighted by Mr. Milne as indicative of a longer "school day" which already included such things as a breakfast club and an after school club.

Mr. Milne went on to make reference to the Design Brief for the Oakbank site and to point out that a commercial use of the area as opposed to a residential use, would create increased risk to the children travelling to school because of the different traffic patterns involved. Mr. Milne took issue with the argument put forward by the applicants agent that office developments were better situated within cities as opposed to the outskirts, which he felt failed to take account of the need for traffic safety within residential areas. Mr. Milne questioned whether the real impacts of the additional traffic likely to be generated by a commercial development at Oakbank, were fully understood and reiterated that the proposal would create conflict with the nearby school site and would, if approved, represent an unacceptable legacy for the coming generation.

Mr. Nicol, taking over from Mr. Milne, sought to address the level of traffic on Mid Stocket Road now, which he stated as some four hundred movements in the peak hour and the likely level, should the development be given approval, which he felt would be doubled. In Mr. Nicoll's view it was simple commonsense that children walking and cycling to school and increased levels of traffic, do not mix. With only six hundred plus parking spaces for some twelve hundred employees, it was clear to Mr. Nicol that the car parks at Oakbank would be full every day, that parking in surrounding residential streets would occur and that development in the form proposed was not needed and would "up the ante" as regards a child being killed.

The next body to address the Sub Committee were **NHS Grampian** as owners/occupiers of the Raeden Centre on Mid Stocket Road and also Aberdeen Royal Infirmary on Foresterhill Road. NHS Grampian were represented by **Mr. Ramsay Milne** of its Physical Planning Department and **Mr. James Welsh**, Planning Consultant, Messrs. Halliday Fraser Munro, Aberdeen. Both Mr. Milne and Mr. Welsh addressed the Sub Committee, the text of Mr. Welsh's presentation being as follows:-

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Introduction

This hearing statement is submitted on behalf of NHS Grampian in response to the planning application and listed building consent for the redevelopment of the former Oakbank School Site.

Our client has a number of serious concerns regarding the proposed scheme as well as doubts over the neighbour notification process carried out by the applicants agent in the first instance and Aberdeen City Council in the second. The second neighbour notification was carried out under new planning procedures and was therefore done by the local authority.

Neighbour Notification

The original neighbour notification was sent to the Raeden Group who are the users of the Raeden Centre but not to the owner or lessee. NHS Grampian is clearly shown as the proprietor of the Raeden Centre on the Scottish Assessors website. This information is free and publically available.

The amended application was subject to re-notification in November 2009. This was carried out by the local authority following the changes to the planning system in the summer of 2009. The second notification was also carried out incorrectly and even after acknowledging that this was the case, the local authority still did not notify our client as requested in both the letters of representation and in other correspondence.

The re-notification of the amendments originally identified a strip of land associated with the Raeden Centre as within separate ownership and not part of the Raeden Centre. This was incorrect in the first instance, but secondly, as the land identified did not contain any buildings, the re-notification should have been advertised in the local press under section 18(2)(b) of the Development Management Procedure (Scotland) Regulations. The notification was instead sent directly to the relevant Council department.

A request was made for a notification to be sent to our client at NHS Grampian as well as the one sent to the Raeden Centre. In this instance it would have been prudent and courteous to send a notification to the NHS contact identified to the local authority on a number of occasions as the correct contact for the Raeden Centre, to avoid further confusion.

NHS Grampian is a major stakeholder in the city but we understand that a single point of contact is yet to be established for planning notification purposes. As a large organisation it is not always feasible to rely on neighbour notifications sent to

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occupiers to be forwarded timeously to the correct contact within the organisation. It is suggested that a simple email containing a copy of the notification sent to occupiers of NHS property could be sent to the Physical Planning Department as well. This will resolve what seems to be an ongoing problem regarding neighbour notification protocol.

Comments on the Scheme

NHS Grampian's concerns with the proposals relate primarily to the safe and efficient operation of the Raeden Centre and Foresterhill Hospitals.

The Raeden Centre

The Raeden Centre is an assessment and treatment centre for children of pre-school age with known or suspected disabilities. The redevelopment of the former school site with an intensive office use will create a potential risk to this vulnerable user group who regularly visit the site. The Design Brief states the Mid Stocket Road access was a secondary access when the school was operational. The proposed application plans to use this access as the main access to service the office accommodation and other uses. Only the residential element of the proposal will be served from an alternative access.

The Design Brief clearly states that any access from Mid Stocket Road should only be used as a secondary access for practicality reasons as safe visibility will be difficult to obtain. The content of the Brief is based on a modest residential development. For a more intensive operation using this as the principal vehicular and pedestrian access is inappropriate and has led to the need to demolish the Governor's House.

The Mid Stocket Road access which will become the main site access for both employees and service and delivery vehicles is located a little to the south and east of the access to the Raeden Centre and will impact on the safe and convenient use of the Centre access both through the number of increased vehicle movements and congestion created at peak times.

The intensified use of this access combined with the new Mile End School will put significant pressure on an already busy area of the city. This will not only adversely impact on the operation of the Raeden Centre and Mile End School but also the other surrounding residential uses.

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The Foresterhill Site

There is also a concern relating to the Foresterhill site, located to the north of the application site on Westburn Road. There is concern that the increased levels of traffic to and from this proposed development combined with the Mile End School, will affect the operation of the hospital sites for emergency vehicles. If traffic calming measures are implemented on the adjacent streets, the operation of emergency vehicles will be affected when using these routes. There is also free parking at the Foresterhill site only a short walk from the proposed development. There is concern that this would impact on parking at the hospital sites. The proposed access on Mid Stocket Road would not comply with Policy 73a of the Local Plan, which requires a new development to have safe and convenient vehicular access, which does not cause road safety issues or unduly disrupt the traffic flow.

Policy Comments

Aberdeen's Local Plan 2008 does not lend support to this proposal for redevelopment, which includes the demolition of a listed building along with other traditional unlisted granite buildings. The intensification of the use of the former school site for what is largely commercial development is not supported by policy nor is the loss of significant urban green space appropriate within this site.

Design

In terms of design the proposal appears alien to the area. The proposed blocks compared to existing buildings are significantly larger and out of context in relation to the low profile and domestic scale of buildings on and adjacent to the site. Whilst it is appreciated that design is a subjective matter, the buildings proposed on this site are so massively out of character there can be no suggestion that they have been designed with reference to the existing or surrounding buildings. The scheme is not compliant with the aims and requirements of Policy 1 of the Local Plan.

Brownfield

A Design Brief has been prepared for this brownfield site. Although published in 1999 it still contains a number of relevant points for consideration. Points of relevance are: providing suitable vehicular access; retaining and incorporating traditional granite buildings; retaining open space and setting of the site; retaining mature trees; improving permeability of the site; and respecting the amenity of existing properties. When considering the redevelopment of this site the above points remain of relevance. Of the points listed above only the retention of mature

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trees seems to have been fully considered and allowed for in the proposals. Other key points have been largely ignored.

Urban Green Space

The open space contained within the Oakbank School site is of particular importance because of the lack of green space in the Mid Stocket area. This locality has significantly less green space than Aberdeen city as an average and special attention should be paid to retaining this asset. A financial contribution towards the improvement of other playing fields does little to compensate for the loss of this space in this location.

Existing Buildings and Adjacent Properties

Existing buildings that contribute to the character of an area should be retained. There is no justification for demolition other than the economic benefit of clearing these traditional granite buildings. Policies 5 and 13 of the Local Plan do not lend support to demolition of these traditional buildings. The Governor's House is also proposed for demolition to allow for access. Its loss would be contrary to the aims of Policy 10 of the Local Plan. Even though a building warrant for demolition is in place, planning permission and listed building consent are still required to demolish the building. The importance of retaining and incorporating these buildings has not diminished since the Design Brief was written in 1999.

The removal of relatively low profile traditional buildings from this site and their replacement with modern office buildings of up to four storeys does not acknowledge the surrounding land uses. The site is surrounded on three sides by residential properties. There will clearly be a conflict of uses and adverse impact on the residential amenity of these properties. The types of use proposed would mean that there is potential overlooking of houses throughout the day. Whilst Building 3 has been set into the slope of the site and is suggested as being lower than the existing building, it is of a much larger mass than the existing buildings on site. Its design creates an impression of a much larger bulk than the existing buildings.

The level of car parking proposed would exceed the Policy 6 requirement that no more than 50% of courtyard should be roads and car parking. The courtyard area created by the three office blocks is largely road and car parking with some small areas of landscaping that contain existing mature trees. There is no useable green space within the proposed site. There does not appear to be any policy support for the redevelopment of this site in the manner proposed. Whilst the principle of redevelopment of this brownfield site is accepted, the Design Brief prepared has been largely ignored. Any economic considerations put forward as material to the

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determination of the application cannot outweigh the level of the non-compliance with the local development plan. Planning is a plan-led system in which decisions must be taken in accordance with the local development plan unless material considerations indicate otherwise. In this case there are no material considerations that suggest approval of the application would be appropriate or in the public interest.

NHS Grampian respectfully suggest that this application be refused as a significant departure from the local development plan.

Mr. John Agnew, Town and Country Planning Agent, Stonehaven on behalf of a number of local residents, was next to address the Sub Committee in respect of the application. Mr. Agnew made it clear at the outset that the representations about to be expressed were in addition to those contained in his letter dated 8th December, 2009, which had been lodged on behalf of his clients. Mr. Agnew made the following submission:-

Section 25(1)(a) of the Town and Country Planning (Scotland) Act 1997 (as amended) provides that, where in making any determination under the planning Acts, regard is to be had to the development plan, the determination is, unless material considerations indicate otherwise, to be made in accordance with that Plan. Section 37(2) provides that in dealing with such an application the authority shall have regard to the provisions of the development plan so far as material to the application and to any other material consideration. It is plain that in determining a planning application the starting place is the statutory development plan and its primacy which is enhanced where the development plan is up-to-date. It is the position of my clients, and my submission, that the relevant development plan in this case is up-to-date. Standing that, in my submission, determination should depart from the provisions of the development plan only where there are compelling reasons.

The statutory development plan relevant in this case comprises the approved Aberdeen City and Shire Structure Plan, August 2009, and the adopted Aberdeen Local Plan 2008. The Structure Plan sets out a strategic vision, strategic objectives, and makes allocations for housing land and employment land uses. It is through the provisions of the Local Plan that the vision, objectives and land use allocations are to be achieved. Any assessment in compliance or otherwise of the application proposals, with the statutory Local Plan requires in the first instance to have regard to the primacy of two finds in fact; FIRST – the site is within an area designated Residential (R40); and SECOND – the site is shown as an Opportunity Site (OP15) and Appendix 5 – Proposals and Opportunities in the Local Plan makes plain that Policy R40 Residential applies to said opportunity and the

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Planning Brief referred to therein re-enforces that the site should be redeveloped for residential use.

It is the position of my clients, and my submission, that the proposed development is at the outset contrary to the Local Plan, a clear and deliberate departure to the extent that the onus is with the applicants to demonstrate why other material considerations merit sufficient weight being afforded to them to outweigh the provisions of the Local Plan and to demonstrate also compelling reasons for departing from the Development Plan.

Policy R40 – Residential Areas, states inter alia, that in existing residential areas the predominantly residential character and amenity will be retained. Areas of trees, recreational and amenity open space, playing fields and pathways within these areas will be retained for these uses. Any proposal to incorporate such areas into private gardens or otherwise take them out of such uses will not be permitted unless the proposal has no unacceptable adverse effect on amenity and, in the case of built development on former green space, incorporates replacement green space of a value at least equal to that of the area that is lost.

Amenity can be described as “that element of appearance and layout of town and country which makes for a comfortable and pleasant life and the quality which a well designed building estate or neighbourhood will have” (Ministry of Town and Country Planning, the Town and Country Planning Progress Report 1931-1951, Cmd.8240 (1951)).

In Copeland Borough Council –v- Secretary of State for the Environment (1976 31 P and CR 403) – Lord Widgery declared “the purpose of all Town and Country Planning is to preserve amenities and the sensible and attractive layout of properties”. His Lordship declared also, in Collis Radio –v- Secretary of State for the Environment (1975 P and CR 390) – “planning deals with localities and not individual sites. In all planning cases it must be of the greatest importance when considering a single planning application to ask oneself what the consequences in the locality will be”.

In my submission, the proposed Office Business Park is in fact and to a material degree, contrary to the expressed intention in Policy R40 of maintaining the predominantly residential character of the area and certainly the locality on the grounds of the mere presence, scale and glazed design of the park and not least by the introduction of business activities including business traffic movements and all other associated adverse impacts such as non-residential lighting and the like. In addition, access to and egress from the proposed business park is opposite the access to the new Mile End School and given its catchment area, within which the

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proposed development would sit, this is of understandable concern to my clients, having regard to road safety and the health and safety of children.

In my submission, having regard to the locational principle, as applied in Policy R40, the proposed development can be described as ugly in terms of its dominance; would introduce noise and activities of a non-residential nature; would be intrusive and uncomfortable in scale and type; visually intrusive also as skyline development as seen from Cairnaquheen Gardens; all to the extent in fact and degree of having an unnecessary and unacceptable adverse impact upon the existing built environment, street scene, and the level of residential amenity currently enjoyed by residents in the locality; and, the apparent loss of potential recreational and amenity open space, resulting from the proposed development, is also unnecessary and unacceptably contrary to Policy R40; et seperatim, the proposed development does not accord, in fact or degree, with any of the exceptions that could be considered as expressed in the last paragraph of Policy R40.

Appendix 5 of the Local Plan, at page 116, makes plain that Policy R40 Residential applies to redevelopment of OP15 site and that a planning brief is available. The Oakbank Design Brief (1999) is a material consideration in this case and in my submission gains Local Plan Policy associated weight having regard to the circumstances of and matters arising from the proposed development. It is plain from the "Development Concept" in the Brief that the planning authority will give favourable consideration to sensitive re-development of the site for residential use. The Design Brief makes plain the desire, intention, to retain the existing granite buildings. This is consistent with the aims of Local Plan Policy 13 – Retention of Granite Buildings, throughout the city even if not listed or in a conservation area. The Design Brief makes plain also whilst the former school building is no longer listed, "the other building of interest on the site is the former Governor's Lodge ... consent will not be granted for removal".

The proposed development simply sets aside the provisions of Policy 13 and the considered provisions of the Design Brief. In my submission this is unnecessary, unacceptable, contrary to both Policy 13 and the Design Brief and demonstrates scant regard to the existing built heritage and built environment, and scant regard also to the character and amenity of the locality. The Design Brief makes plain that the existing trees make a valuable contribution to the character of the site and that they will all be protected. This is consistent with the provisions of Policy 33 – Protecting Trees and Woodlands, in that there is a presumption against activities and development that would result in the loss of or damage to trees and woodlands that have a heritage value or contribute to the character, biodiversity or amenity of a particular locality. In my submission, the existing mature trees adjacent to Mid Stocket Road can be held to be within the curtilage of the listed former Governor's

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Lodge. In this respect the trees form part of the setting of the listed building and they materially contribute to the character, biodiversity and amenity of the locality.

As I understand matters it is proposed to fell three trees to facilitate access road widening and a further nine trees allegedly for health and safety reasons. In my submission the evidence for felling nine trees on health and safety grounds is thin to say the least and the felling of a further three trees, making a total of twelve, cannot be justified for a development which in any objective consideration is already otherwise materially contrary to the Development Plan in fact and to the degree that refusal is indicated.

Policy 10 – New Uses for Listed Buildings, provides that in considering alternative uses for redundant listed buildings, any alterations should not destroy or seriously harm the essential character or setting of the buildings and in as much as the purpose and intention of this policy is carried forward in the Design Brief, the proposed development again sets aside material policy provisions without justification.

Policy 4 – Protection of Urban Green Space, Policy 35 – Access and Recreation Areas, Policy 36 – Urban Green Space and Policy 48 – Sports Facilities, are all materially contravened by the proposed development, on the grounds:-

- (a) the undeveloped areas within the former institution would be lost or substantially lost and whatever remained would not replace nor have the value to the locality of the sporting or recreational potential of the existing green space;
- (b) it is not known and is unlikely that it is proposed to provide or there can be delivered, the equivalent and equally convenient area for public access having regard to what currently exists; and
- (c) thereby compromising the integrity of both an existing and potential recreation area, thus depriving the locality of what should properly be made available for local use, as provided for in the policies cited.

All as set out in more detail in my letter of objection dated 8th December, 2009; et seperatim, the existing garden, sport and recreation grounds are not and cannot be held to be, brownfield land having regard to the definition of “brownfield” as expressed in the Local Plan Glossary. It is plain from the reasons already stated and as set out in my letter of objection, that the proposed development is contrary to Policy 1 Design, having regard to the facts and the locality within which the site is located. Compliance with the technical requirements of Transport Policies does not afford any comfort to the proposed development. The proposed development derives no comfort either from the relevant Scottish Planning Policies or Planning Advice Notes which contain broad government guidance and advice and are taken account of in forming Development Plan Policies.

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In as much as the development plan is up-to-date, there are rights in expectation that (a) landowners and developers can derive comfort from designated sites, that the principle of appropriate development will be supported; (b) the general public can derive comfort from articulate consistency in the application of development plan policies to development proposals; and (c) departures from the development plan will be granted only where there are compelling reasons. There is no material shortfall in employment land provision. There is no serious unemployment. The proposed development does not represent regional nor national inward investment of material justification sufficient to outweigh the provisions of the statutory Development Plan.

In conclusion therefore, the proposed development is materially contrary to a raft of relevant Development Plan Policies; there are no material considerations in this case which merit sufficient weight in order to set aside the provisions of the statutory Development Plan and, as a consequence, articulate consistency in applying Development Plan Policies in this case indicates refusal of the proposed development as applied for.

Graeme Thompson, a local resident, was next to address the Sub Committee when he indicated that, in general terms, he objected to the development of the Oakbank site for a business use when it was clearly within a residential area and would clearly result in an escalation of traffic in the immediate neighbourhood. Mr. Thompson indicated that he supported everything that had been said by the other objectors on the application. He went on to refer specifically however to his own situation as a resident of Cairnaquheen Gardens which he advised was at a considerably lower level than the neighbouring Oakbank site, as a result of which his main concern was in relation to how the developed site would impact on his property as regards drainage. He also expressed a degree of concern about possible public access to the proposed office business park and the risk to residents in property surrounding the site of increased levels of anti-social behaviour at the rear of their properties, i.e. from within the application site. Mr. Thomson went on to express concern about a loss of privacy in his home because of the scale of the buildings proposed, a concern which he was sure would be shared by all the other residents of Cairnaquheen Gardens. An increase of "rat running" traffic was also a clear possibility. In conclusion Mr. Thompson indicated that the loss of the playing field at Oakbank would be a blow and that the contribution on offer by the developer would be of no benefit to local residents.

Mrs. Keitha Scott, a local resident, also addressed the Sub Committee when she expressed the view that a residential development at Oakbank would be entirely acceptable and in keeping with the Development Brief approved in 1999. She expressed serious concern about the height of the office buildings proposed for the site which she felt would result in a gross invasion of her privacy. The loss of the

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sports pitch was also a concern because it had been used by local children. The threat of cars parking in adjacent residential streets was, in her view, entirely possible and despite the introduction of a controlled parking regime to the area.

Closing Remarks

There being no other speakers listed on the hearing programme, the Chairperson began to draw proceedings to a close but extended an invitation to anyone present who had not yet spoken, to come forward and address the Sub Committee if they felt that any aspect of the proposed development had not been aired. A number of people in attendance accepted the invitation and the Sub Committee heard from, among others, Councillor Allan Donnelly who pointed out with reference to comments made about possible economic benefits for the city of a large office development at Oakbank, that even if only a small portion of the extra rate income created was reinvested in Aberdeen, that would be a benefit as would the new jobs created. Also heard was a Mr. Cassidy who challenged the assertion of Council roads officers that Mid Stocket Road could absorb the additional traffic generated from the proposed development, expressing the contrary view that approval of the development would result in congestion and queues. Mr. Cassidy also felt that the promise of twelve hundred jobs was merely a white elephant, that the proposal represented over-development on the site and that the resultant traffic situation would be horrendous.

There being no other speakers, the Chairperson thanked everyone for their contributions and indicated that all the relevant information would be considered and fed back into a final report on the application which officers would prepare for consideration at a future meeting of the Development Management Sub Committee, most likely in May 2010, when a decision on the application was likely.

- **CALLUM McCAIG, Vice-Convenor.**