

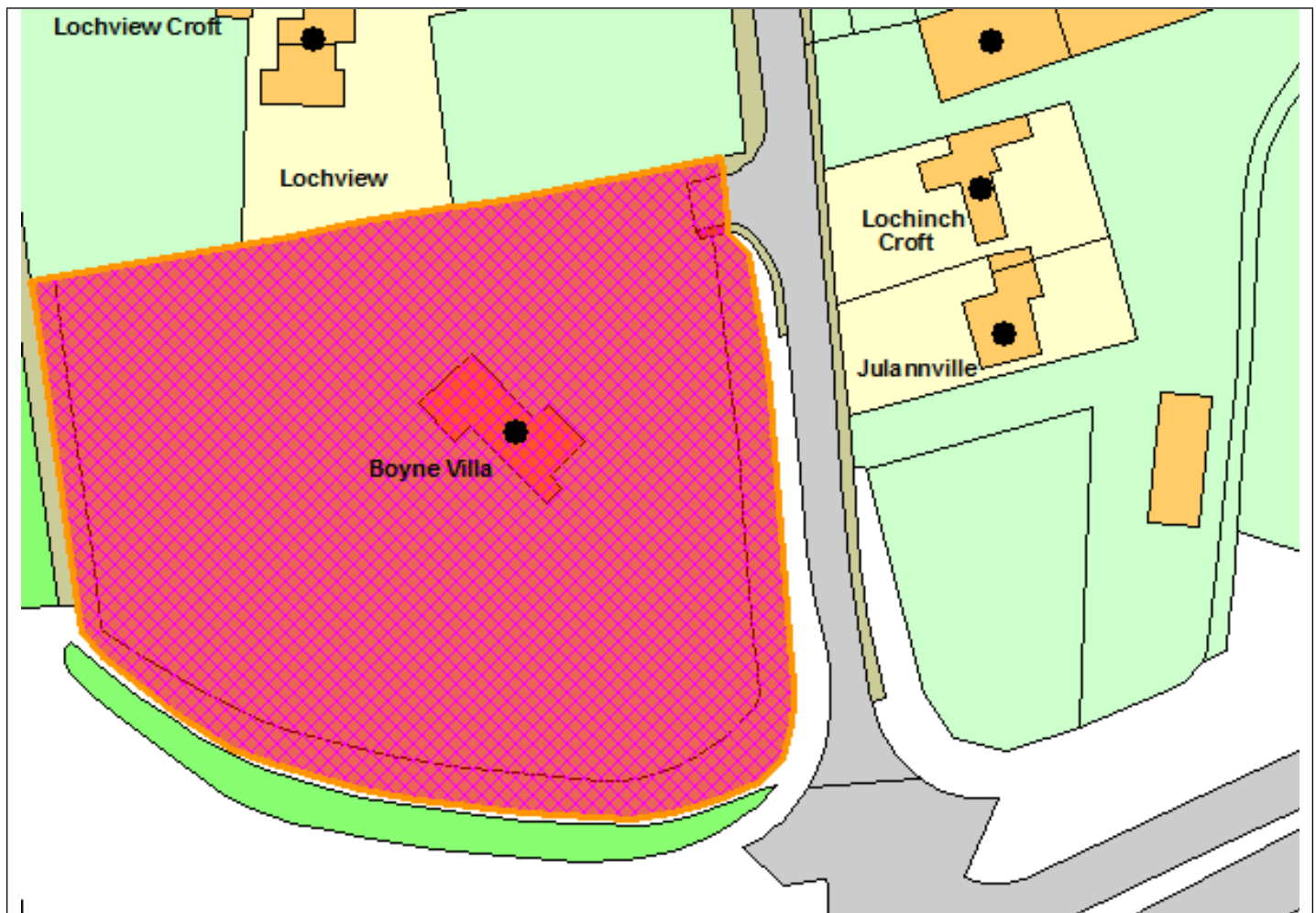


# Planning Development Management Committee

Report by Development Management Manager

**Committee Date: 1 November 2018**

<b>Site Address:</b>	Boyne Villa, Old Stonehaven Road, Aberdeen, AB12 3LL
<b>Application Description:</b>	Installation of modular building with associated works
<b>Application Ref:</b>	181545/DPP
<b>Application Type</b>	Detailed Planning Permission
<b>Application Date:</b>	3 September 2018
<b>Applicant:</b>	CF Jennings Ltd
<b>Ward:</b>	Kincorth/Nigg/Cove
<b>Community Council:</b>	Nigg
<b>Case Officer:</b>	Lucy Greene



## RECOMMENDATION

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**Approve conditionally**

## APPLICATION BACKGROUND

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### Site Description

The application site consists of a transportation depot that has operated for the last approximately two years. There is a single storey detached former house that is used as the office, with the remainder of the yard being largely laid to hard surface; there is a recently erected length of fence approximately 30m in length parallel to the central part of the northern boundary. The area in question is a total of 1.15 hectares in size. The plot is located at the junction of Old Stonehaven Road and Wellington Road, and bounds the junction of the A90 (Aberdeen Western Peripheral Route), with Wellington Road. Both junctions are being replaced as part of the AWPR. Access into Boyne Villa is taken from the north eastern corner of the site via Old Stonehaven Road, which runs along the eastern site boundary. Running alongside the site boundary on Old Stonehaven Road, is a drainage ditch. The AWPR works to the south of the site have resulted in the A90 slip road being removed, with the new road being significantly further away from the application site boundary and the intervening area is to be planted with a 'woodland mix' of trees, as well as large specimen trees being planted around the junction of Wellington Road and Old Stonehaven Road. Both these areas of planting are on higher ground than the application site.

### Relevant Planning History

Application Number	Proposal	Decision Date
161164/DPP	Erection of storage shed with associated car parking	17.02.2017
Breach of Condition Notice – dated 20 <sup>th</sup> July 2018, served in respect of non-compliance with condition 1 of the above permission, relating to landscape planting. Notice requires compliance by 31 <sup>st</sup> October 2018.		
161093/S42	Variation of Condition 1 (transport depot on completion of AWPR) of P151878 to completion of depot with revised safety measures	Approved 21.09.2016
151878	Change of use from residential to transport depot office and storage/parking of vehicles.	Approved 26.04.2016

## APPLICATION DESCRIPTION

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### Description of Proposal

The proposal is for the erection of a large industrial style shed of 24m by 24m, it would be approximately 6.5m to eaves height, and just under 10m to the roof ridge. The shed would be faced in steel sheeting coloured in dark blue. Located within the south east corner of the site, the shed would be approximately 9m further from the east site boundary, than the previously approved shed (unbuilt) and an open concrete surfaced wash bay (15m by 5m) would be laid out to the east side of the new shed.

There would be some changes to the remainder of the site:

- A 30.75m length of 1.8m high timber fence has been erected next to the north boundary, to the south of the adjacent garden ground associated with the house 'Lochview', this fence is shown on the submitted plans, although it does require planning permission. To the yard side of this would be 1.7m wide planted border, containing a variety of shrubs.
- Between the above-mentioned fence and the site entrance would be planted a privet hedge, with strip of grass.
- On the bank along the southern boundary of the site would be planted a wild flower seed mix.
- The existing open filter trench would remain along the eastern edge of the site, whilst the previously proposed SUDS basin would not be provided.
- 28 car parking spaces adjacent to the entrance on the east side of the site. There would be no change to the HGV spaces and the remainder of the site would remain as exists.

The main differences between the proposed scheme and that approved under application 161164 (partially implemented) are:

1. Previously proposed shed was 24m by 18m, by 8.7m to ridge, and located approximately 9m closer to the eastern site boundary, together with wash bay.
2. The previous permission includes 22 car parking spaces, to the north of the office building, whilst the current proposal is for 28no. spaces to the east of the office building.
3. Instead of the landscape planting of trees and shrubs adjacent to the north boundary as per the permission granted, there is now a fence, with hedge and shrub planting proposed. Along the southern site boundary, wild flower seeding is now proposed, instead of the planting of leylandii.
4. Drainage scheme now proposes a filter drain, instead of SUDS basin as per the approved scheme.

## 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=PE9ZPHBZ01700>

## Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because there is an objection from the Community Council and the application is recommended for approval.

## CONSULTATIONS

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**ACC - Roads Development Management Team** – although six additional spaces equates to more than the parking standard for the additional floorspace of the larger shed proposed under this application, taking into account the attributes of the particular use proposed and the outer city location, the parking provision is adequately covered and there are no concerns from the Roads Team.

**ACC - Flooding And Coastal Protection** – Proposals for surface water drainage are adequate, including the levels of treatment provided.

Nigg Community Council – object on the following grounds:

1. Proposal includes a pit, suggesting that part of the site would be used as a vehicle workshop. There are no details on how the pit would be drained or spillages handled.

2. Application shows lack of screening and loss of amenity to neighbouring properties.
3. Position of bins would be detrimental in terms of visual amenity and odours, to neighbours;
4. Conditions on previous consent have not been fulfilled.

## **REPRESENTATIONS**

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None

## **MATERIAL CONSIDERATIONS**

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### **Legislative Requirements**

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

### **Aberdeen Local Development Plan (2017) (ALDP)**

LR1: Land Release Policy  
D1: Quality Placemaking by Design  
D2: Landscape  
T2: Managing the Transport Impact of Development  
NE6: Flooding, Drainage & Water Quality  
OP59: Loirston

### **Supplementary Guidance and Technical Advice Notes**

## **EVALUATION**

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### **Principle of Development**

The principle of the use on this site was established by the previous applications, including application reference 161164. This current application proposes a larger shed than the previous application and an alternative layout of the car parking and landscaping of the site, with the differences between the two applications being described in detail above.

The ALDP 2017 allocates the wider area, within which this site lies at the south western extremity, for 1500 homes and 11ha employment land. With the use having been already established, the zoning policy is of no further relevance, other than as an indicator of future uses within the wider area – these being relevant in terms visual amenity and landscaping. The proposal accords with policies LR1 and OP59.

The issues for consideration are the impact of the larger shed and different site layout in visual terms and any changes to the functioning of the site in terms of vehicle movements and drainage.

### Visual Amenity and Landscaping

There is a mix of uses surrounding the application site: residential (houses), including two houses with garden and land bordering the northern site boundary and two houses to the east, the FedEx depot, (which is almost opposite the application site) and small scale workshops. The area is affected by the proximity of the A92 Charleston Junction and Wellington Road. Between the application site and the proposed homes, the Loirston Development Framework indicates there would be areas of landscaping and trees, within the wider area.

The construction of the new Charleston junction of the AWPR with the A92 and Wellington Road would involve the creation of a new area of landscaping (indicated on plans as being woodland) to

the south and west of the application site. The proposed shed is located to the south eastern corner of the site, with truck parking unaltered by this proposal, along the southern boundary. The application site sits at a lower level than the surrounding roads. The existing Wellington Road (A956) is at a level approximately 5m above the floor level of the shed, whilst the Old Stonehaven Road gradually rises from the site entrance at the north east corner of the site, up to the level of Wellington Road. The existing trees (along the Old Stonehaven Road site boundary) are relatively small species. Given that there will be a large area of mixed woodland to the south of the site, and that this is at a level raised above the site, the site would be completely screened from public roads to the south, and the wild flower seeding on the bank is acceptable as an alternative to the previously proposed leylandii planting.

The submitted plans show the recently erected 30.75m length of fence, with proposed planting of shrubs and a length of hedge along the northern site boundary. This is in the location where the previous application showed the planting of trees and shrubs. It is considered that erection of the fence has resulted in the screening of the site in terms of the impact on the residential properties to the north, and together with the hedge and shrub planting, the proposal is acceptable in its impact on the residents.

The greatest visual impact from the shed would be felt along Old Stonehaven Road in the longer term, as this is close to the proposed location of the shed. The currently proposed shed is further from the site boundary than the already approved shed, although it is approximately 1.3m higher at the ridge, and 6m more in depth. The shed would be set at a lower level than the road, which slopes down from a higher level to the south where it joins Wellington Road, to the site entrance. This helps to reduce the visual impact of the shed and, it is considered acceptable in the context of the shed that already has permission, the nearby junction of the AWPR with Wellington Road, and its considerable area of tree planting, the existing trees along the west side of Old Stonehaven Road on the site boundary and the relative levels of the roads and the site at this point. The shed would only be visible within the local area and is of similar industrial type appearance to the small shed that was previously approved, which is considered appropriate on this site.

Along the east side of the site the previous application includes the proposal to lay a swale, with yard area adjacent to that. It is possible that tree roots would be damaged by this process and it is therefore proposed to attach conditions (similar to those attached to the previous consent) requiring replacement tree planting if the existing small trees should die or be damaged. In addition, with these measures in place and taking into account the context of the site, it is considered that the proposal accords with Policy D1 on Placemaking and although there are some tensions with Policy D2, as the landscaping would not fully screen the shed and HGVs, given the site context, the proposed landscaping is acceptable.

#### Parking and Transport

Parking provision is to the satisfaction of the Roads Development Management Team. The site is not readily accessible by public transport and walking, the parking is considered acceptable, as it based on the actual numbers of drivers, office staff and a small number of visitors, with a reduction below these numbers as the previously approved Green Travel Plan includes encouragement of car sharing. Visibility splays and pedestrian access were dealt with under the previous application and remain unchanged, having been conditioned on the previous application for the transport depot use. The proposal complies with Policy T2.

The drainage impact assessment is acceptable to the Flooding Team and a condition is attached to ensure that the sustainable urban drainage (SUDS) measures are put in place. The proposal complies with Policy NE6.

#### **Matters Raised in Objection**

1. *Proposal includes a pit, suggesting that part of the site would be used as a vehicle workshop. There are no details on how the pit would be drained or spillages handled.*

The applicant has confirmed that the pit within one of the bays in the shed would be used to improve the facilities for the regular inspection of vehicles, that is required as part of the licensing. Servicing would not be carried out on site. It is worth noting that the pit could be added within the shed, without the need for planning permission. Details of drainage and oil interceptors are the subject of a condition.

2. *Application shows lack of screening and loss of amenity to neighbouring properties.*

Plans have subsequently been revised and show the recently erected fencing and hedging that result in screening and measures to mitigate any loss of amenity to neighbours.

3. *Position of bins would be detrimental in terms of visual amenity and odours, to neighbours;*

The refuse bin storage location has been amended so that it is adjacent to the office, this location is sufficiently far from neighbours for there to be no impact.

4. *Conditions on previous consent have not been fulfilled.*

It is correct that conditions on the previous consent have been breached due to the landscape planting not having been carried out. A Breach of Condition Notice was served in July, as noted above, and comes into effect on 31<sup>st</sup> October 2018.

## **RECOMMENDATION**

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### **Approve conditionally**

## **REASON FOR RECOMMENDATION**

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With existing trees, landscaping proposed as part of the Aberdeen Western Peripheral Route, and the relative levels, the proposed shed is acceptable in its visual impact on the surrounding area and the revised yard layout is acceptable in terms of parking and vehicle movement provisions as well as the measures proposed to deal with surface water. The proposal therefore accords with Aberdeen Local Development Plan 2017 policies LR1: Land Release Policy and OP59: Loirston; policies D1: Quality Placemaking by Design and although there are some tensions with Policy D2: Landscape, the proposal is acceptable within its context.

## **CONDITIONS**

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(1) That all planting, seeding and turfing comprised in the approved scheme of landscaping (shown on plan nos. P18-043\_003 REV B and P18-043\_004, or on such plans as shall be subsequently approved) shall be carried out in full by 31st December 2018, with the exception of the seeding which shall be carried out by 30th April 2019, all or as otherwise agreed in writing with the Planning Authority – in the interests of amenity of the area.

(2) That any trees, plants, or seeding including those existing trees along the east elevation of the site (area TG2 in the site plan attached to application 161164/DPP), which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, or in the case of seeding, does not successfully self-seed, shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or existing, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the Planning Authority - in the interests of the amenity of the area.

(3) That no development shall take place unless there has been submitted to and approved in writing by the Planning Authority, a scheme for the protection of all trees to be retained on the site during construction works, and this shall be implemented and measures shall remain in place for

the duration of the works - in order to ensure adequate protection for the trees on site during the construction of the development.

(4) That no external lighting shall be installed on site other than in accordance with a scheme and details that have been submitted to and approved in writing by the Planning Authority, and thereafter implemented in full accordance with said scheme - in the interest of residential amenity and road safety.

(5) That no development shall take place unless a scheme of all drainage works as shown on the approved plans, or such other as is subsequently submitted to and approved in writing by the Planning Authority, has been installed in complete accordance with the said scheme and thereafter no part of the development shall be brought into use unless the drainage is in place and fully operational- in order to safeguard water qualities in adjacent watercourses and to ensure that the development can be adequately drained.

(6) Vehicle parking and turning areas shall not be used for any other purpose other than the purpose of the parking of vehicles ancillary to the development and use thereby granted approval - in the interests of public safety and the free flow of traffic.

(7) That prior to shed being brought into use details shall be submitted to and approved in writing by the Planning Authority of measures for the prevention of pollution including in association with the drainage and spillages occurring from the inspection pit in the shed. The pit shall not be used unless such measures are in place and fully operational – in the interests of the prevention of pollution.

#### **ADVISORY NOTES FOR APPLICANT**

No construction or demolition work shall take place:

- (a) outwith the hours of 7.00 am to 7.00 pm Mondays to Fridays;
- (b) outwith the hours of 9.00 am to 4.00 pm Saturdays; or
- (c) at any time on Sundays,

except (on all days) for works inaudible outwith the application site boundary. [For the avoidance of doubt, this would generally allow internal finishing work, but not the use of machinery] - in the interests of residential amenity.