

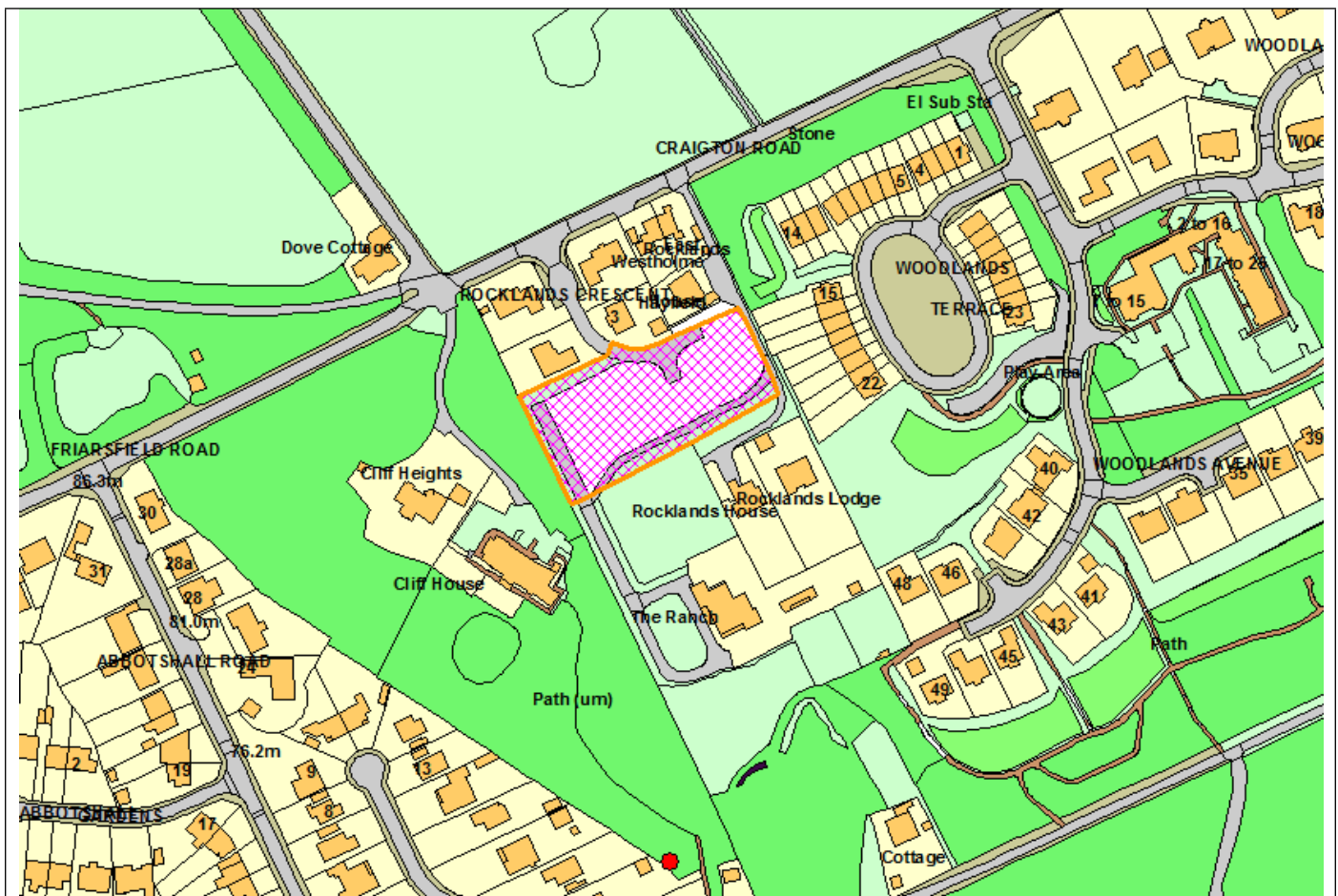


Planning Development Management Committee

Report by Development Management Manager

Committee Date: 21 February 2019

Site Address:	Rocklands, Craighton Road, Aberdeen, AB15 9PS
Application Description:	Erection of three dwelling houses and associated infrastructure
Application Ref:	181932/PPP
Application Type	Planning Permission in Principle
Application Date:	9 November 2018
Applicant:	Mrs B. H. Kennedy
Ward:	Lower Deeside
Community Council:	Cults, Bieldside And Milltimber
Case Officer:	Aoife Murphy



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RECOMMENDATION

Approve Conditionally

APPLICATION BACKGROUND

Site Description

The site lies to the west of the city, on the eastern periphery of the residential area of Cults. The site extends to an area of 4348sqm and is bound to the north, south east and east by residential properties, to the south west by an area of vacant land and to the west by woodland with dwellings beyond that. The site previously gained planning permission under reference 091678 for six dwellings, four of which have already been constructed and sit to the north (known as Rocklands Crescent). The area of land under consideration currently lies vacant, but does incorporate a hammerhead road layout, which provides a turning area for the existing four house development and a private track to the west of the site, which is lined either side by an area of woodland. Also incorporated within the site boundary is an area of woodland along a portion of the southern boundary. It is noted that the site falls within the Pitfodels Conservation Area.

Relevant Planning History

Application Number	Proposal	Decision Date
150190	Erection of dwelling house.	21.08.2015 Approve Conditionally
101669	Application to purify conditions relating to siting, design, external appearance, boundary enclosures, SUDS, landscaping and foul sewerage; pertaining to plot 6 of planning permission in principle no 091678.	20.04.2011 Approve Unconditionally
091678	Erection of 6 dwelling houses and formation of access road.	26.04.2010 Approve Conditionally
091439	Erection of new dwelling house.	06.01.2010 Withdrawn

APPLICATION DESCRIPTION

Description of Proposal

Planning permission in principle is sought for the erection of three dwellinghouses. As the application is only in principle no details of the final house types have been submitted for assessment. However, an indicative plot layout has been submitted showing one large plot to the east of the site and two smaller plots lying side by side to the west. All dwellings are shown to be detached and it is likely that they would be two storeys. The existing turning area to the north of the site is proposed to be relocated to the south allowing access to all three proposed dwellings. As such, access will come directly off Craigton Road, via Rocklands Crescent and run past the existing four dwellings to the north. There are a number of trees identified on the tree management plan that are to be removed for the proposed development, these have been marked as A. Southern hedge, B. Northern hedge and C. Western hedge while the existing line of trees along the west boundary marked as D. Western Hedge is to be retained and protected.

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=PHVLGEBZISA00>

- Planning Statement, submitted 8 November 2018 – within this document the agent provides an overview of the site including details relating planning history, site characteristics, Pitfodels Conservation Area, open space, subdivision and redevelopment of residential curtilages and trees and woodland.
- Tree Survey Report, submitted 8 November 2018 – provides details of the existing trees within the site and information on whether they are to be retained or felled. Details of tree protection fencing has also been provided.
- Design Response, submitted 15 January 2019 – provides details of design in the surrounding area in response to the comments raised in the letters of representation.
- Site Context, submitted 15 January 2019 – provides details of the site and surrounding conservation area.

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because the proposal has been subject to 6 or more timeous letters of objection. Consequently, the proposal requires to be determined by the Planning Development Management Committee as per the Scheme of Delegation.

CONSULTATIONS

ACC - Roads Development Management Team – has no objections to the proposal subject to conditions.

ACC - Environmental Health – No observations or comments to make.

ACC - Flooding and Coastal Protection – has no objection to the proposal, but has requested a Drainage Impact Assessment be submitted with any subsequent application.

ACC - Waste Strategy Team – has made general comments regarding the waste arrangements on site

Cults, Bieldside And Milltimber Community Council – has not commented on this application.

REPRESENTATIONS

Eight written representations have been received, four objecting to the proposal and two making neutral comments. Material matters raised are as follows:

- Landscaping
- Internal road layout
- Noise
- Planning history
- Potential impact of the development on the surrounding area
- Pollution
- Proposed design of the development
- Traffic impact
- Trees and replacement planting
- Use of existing access road

MATERIAL CONSIDERATIONS

Legislative Requirements

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

National Planning Policy and Guidance

Scottish Planning Policy

Scottish Historic Environment Policy

Aberdeen Local Development Plan (2017)

Policy D1 - Quality Placemaking by Design

Policy D2 - Landscape

Policy D4 - Historic Environment

Policy T2 - Managing the Transport Impact of Development

Policy T3 - Sustainable and Active Travel

Policy H1 - Residential Areas

Policy NE5 - Trees and Woodlands

Policy NE6 - Flooding, Drainage and Water Quality

Policy R6 - Waste Management Requirements for New Development

Policy R7 - Low and Zero Carbon Buildings, and Water Efficiency

Policy CI1 - Digital Infrastructure

Supplementary Guidance and Technical Advice Notes

Transport and Accessibility

Landscape

Trees and Woodland

Flooding and Drainage

Other Material Considerations

Pitfodels Conservation Area Character Appraisal

The matters raised in representations are material to the assessment of this application, so far as they relate to legitimate planning considerations.

EVALUATION

The key planning issues to be considered are the principle of development, impact on the amenity of the surrounding area, impact on the conservation area, as well as access and servicing.

As the site is located within a residential area, Policy H1 - Residential Areas will be used to assess the principle of development. This policy allows new residential development, as long as the following criteria can be met:

1. does not constitute over development;
2. does not have an unacceptable impact on the character and amenity of the surrounding area; and
3. does not result in the loss of valuable and valued areas of open space. Open space is defined in the Aberdeen Open Space Audit 2010.

Having reviewed the proposal, it is considered that the proposal complies with this policy, as the development does not constitute over development and it is not considered that the dwellings would have any impact on the character and amenity of the surrounding area given that this is an existing residential area. It is also considered, given the information supplied on the indicative plot layout,

that the dwellings are well sited so as not to impact on the amenity of the surrounding area and the site is not considered to be open space as defined in the Open Space Audit. In light of the above, it is considered that the proposal complies with Policy H1 and can therefore be supported in principle.

In terms of Policy D1 - Quality Placemaking by Design, as the application is for planning permission in principle, no details of the final house types have been submitted, as such the application cannot be fully assessed against this policy. However, if the application is to be approved, full details of the proposed house types will be required as a subsequent planning application stage and a full assessment of the design and placemaking will be made at that time.

However, the agent has submitted an indicative layout and it is considered that the site can comfortably accommodate the proposed dwellings as well as private garden ground and parking and turning areas. A number of concerns were raised through the written representations regarding the finished design, in order to ease these concerns, information regarding design and site context were submitted, which suggest that the proposed development would take into account the surrounding features of nearby residential properties and well as the context of the wider area to create an informed design for the 3 proposed dwellings.

A further concern raised by objectors relates to the potential impact of the development on the surrounding area. As this site had previous consent for a residential use, it is not considered that three new dwellings would give rise to any adverse impact in the surrounding area, given the size of the plots and the indicative location of the dwellings.

Under Policy D2 - Landscape, development should have a strong relationship with the landscape and should seek to improve and enhance the setting and visual appearance of the area. As this application only seeks to establish the principle of development a full assessment under this policy cannot be undertaken. However, it is considered that the development of this site will help improve the visual appearance of the area by incorporating the existing local identity. Landscaping will be sought, this will be within the individual plots and maintained by the occupiers of the dwellings.

As previously mentioned the site is located with the Pitfodels Conservation Area, as such the application requires to meet the criteria of Policy D4 - Historic Environment. Under this policy, the Planning Authority seeks to protect, preserve and enhance the historic environment in line with approved national and local guidance. However, as this application is only in principle a full assessment cannot be carried out. The assessment of the finished design and material would be undertaken at a subsequent planning application stage. However, it is considered that the principle of three dwellings in this location would not have an undue impact on the overall character of the Conservation Area, given the site is surrounded by residential dwellings and previously gained permission for that use. When proposing the finished housetypes, the applicant will be required to mitigate against any potential impacts on the conservation area.

Roads Development Management confirm that the Service has no objection to the proposed development, but do require additional information to be submitted with any subsequent planning application. This is considered satisfactory and any information required will be requested via condition. In terms of active and sustainable travel, promoted by Policy T2 - Managing the Transport Impact of Development and Policy T3 - Sustainable and Active Travel, while this development is not in a location suitable for a variety of modes of transport, it is considered that the development is within an already established residential area. As such, by virtue of its location and previous planning approval for the same use, the development is considered acceptable to the Planning Authority.

Some concerns have been raised through letters of representation regarding the existing and proposed internal road layout. While the plans show that the existing layout is to be altered as a

result of this development, this has not raised any concerns with the Planning Authority or the Roads Development Management Team, but it should be noted that the new layout will require Roads Construction Consent and will therefore be assessed in full by the Council's Roads Team.

In addition, concerns regarding traffic impact have also been noted. This site had previous consent for two dwellings and as this application is for one additional dwelling, it is considered that there will be a slight increase in cars using the existing access from Craighton Road, but this will not have any material impact on amenity, or road safety or on the local road network.

A full tree survey report has been submitted with the application, the survey notes that a number of hedges have been identified and that a number of trees require to be felled for woodland management. These hedges are mature and mostly contain C-class trees which are now top heavy and leaning. Given the state of the trees, it is considered that they are a safety issue. The western hedge, which is to remain on site is to be trimmed for retention. The report also confirms that tree protection measures will be erected in order to protect the trees identified for retention. The Planning Authority has no objection to the removal of the trees and maintenance of the hedges in order to facilitate the development, but compensatory planting is required as per Policy NE5 - Trees and Woodlands.

Some comments regarding the tree survey and replacement planting have been highlighted through the letters of representation, the survey notes that the majority of trees on site are to be felled for the development, these included hedges A, B, C, D and F as denoted on the tree management plan. The Planning Authority has no issues with the removal of these trees, however, as hedges E and F are outwith the red line site boundary, their removal cannot be controlled by the Authority under this current application. As mentioned above, information relating to replacement planting will be requested via condition.

It has been requested that a Drainage Impact Assessment be submitted in order to assess the proposal against Policy NE6 - Flooding, Drainage and Water Quality. Given the application is for planning permission in principle, it is considered that this information can be submitted with a subsequent application and will therefore be requested via condition.

The Council's Waste Strategy Team has made no objection to this proposed development and provides comments on the type of services that will be required by the development. As such the development can be considered to comply with Policy R6 - Waste Management Requirements for New Development.

With regards to Policy R7 - Low and Zero Carbon Buildings, and Water Efficiency, all new development is required to aid in the reduction of carbon dioxide emissions through the installation of low and zero carbon generating technology. In addition, all new developments are required to reduce the pressure on water abstraction from the River Dee. It is considered that this information will be requested via condition.

Policy CI1 - Digital Infrastructure required all new development to have access to modern communication infrastructure, it is considered that given the location of this development within the residential area of Cults that this proposal is compliant with this policy.

Matters Raised in Written Representations

A number of written representations have been received, the concerns highlighted have been reviewed and the Planning Service can provide the following assessment:

- Landscaping - as this application is for planning permission in principle, it is not required that the Planning Authority have full details of the proposed landscaping, but this information will be requested by way of condition.
- Noise – given that three units are proposed within this residential area, it is not considered that this development will impact the existing noise level currently enjoyed by the residents of the area, given that they will be for the same use.
- Planning history – it is noted that this site has permission for 6 units granted in 2010, 4 of which have been constructed and a further permission for 1 dwelling granted in 2014. It should be noted that this application would supersede any previous consent if implemented.
- Pollution – it is not considered that 3 additional dwellings and associated cars, will have an undue impact on the level of pollution.
- Use of existing access road – an access road is located to the east of the site and serves two dwellings to the south of the site, the residents of these are keen to ensure that rights of access are maintained. The Planning Authority notes that this track is outwith the redline boundary and therefore not subject to assessment, but access to these dwellings should be maintained, however, if any issues arise this would be considered a civil matter and therefore outwith the remit of the Planning Service

In conclusion, it is considered that this development complies with the relevant policies of the Aberdeen Local Development Plan 2017, specifically the principle policy, Policy H1 – Residential Areas, in that the development is not considered to be over development and would not have any undue impact on the character and amenity of the surrounding area. It is therefore recommended that planning permission in principle be granted.

Determination of Application

This application has not been determined within the statutory time period as the application requires to be determined at Planning Development Management Committee. The agent has agreed that the period of determination be extended to the 28 February 2018 to account for next available committee date.

RECOMMENDATION

Approve Conditionally

REASON FOR RECOMMENDATION

The proposed development is considered compliant with Policy H1 - Residential Areas, in that the development is not considered to be over development, it would not have any undue impact on the character and amenity of the surrounding area nor would it result in the loss of land. With regards to Policy NE5 - Trees and Woodlands, suitable documentation has been submitted to justify the removal of trees on site, the survey also recommends compensatory planting which is considered to be a required of Policy NE5.

CONDITIONS

1. Details of the specified matters listed below shall be submitted for consideration by the planning authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No development shall begin on the site unless all of the details listed in this condition have been submitted to and approved in writing by the planning authority. The development shall be carried out in complete accordance with the details approved in relation to this condition.

Specified matters:

- a) Full details of the siting, design, layout, external appearance and finishing materials of the proposed development including waste bin uplift area, driveway, vehicle parking and turning area;
- b) Full details of the proposed means of access, including dimension of the road and hammerhead;
- c) An Energy Statement shall include the following items:
 - i) Full details of the proposed energy efficiency measures and/or renewable technologies to be incorporated into the development;
 - ii) Calculations using the SAP or SBEM methods, which demonstrate that the reduction in carbon dioxide emissions rates for the development, arising from the measures proposed, will enable the development to comply with Policy R7 of the Aberdeen Local Development Plan 2017.
- d) A detailed levels survey of the site and cross sections showing proposed finished ground and floor levels relative to existing ground levels and a fixed ordnance datum point;
- e) Full details of the Drainage Impact Assessment to include the proposed means of disposal of surface water from the development.

Reason: Permission for the development has been granted in principle only and subsequent approval is required for these matters in accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

2. The proposed development shall be connected to the public water supply as indicated in the submitted application and shall not be connected to a private water supply without the separate express grant of planning permission by the planning authority.

Reason: To ensure the long term sustainability of the development and the safety and welfare of the occupants and visitors to the site.

3. Waste water from the proposed development shall be disposed of via the public sewer as indicated in the submitted application and shall not be disposed of via private means without the separate express grant of planning permission by the planning authority.

Reason: To ensure the long term sustainability of the development and the safety and welfare of the occupants and visitors to the site.

4. The dwellinghouses hereby approved shall not be occupied unless the proposed surface water drainage system(s) has been provided in accordance with the approved Drainage Impact Assessment and plans approved under Condition 1 (g). The surface water drainage system(s) shall be permanently retained thereafter in accordance with the approved maintenance scheme.

Reason: In order to ensure that adequate drainage facilities are provided, and retained, in the interests of the amenity of the area.

5. No works in connection with the development hereby approved shall commence unless a tree protection plan has been submitted to and approved in writing by the planning authority. Tree protection measures shall be shown on a layout plan accompanied by descriptive text and shall include:

- a) The location of the trees to be retained and their root protection areas and canopy spreads (as defined in BS 5837: 2012 Trees in relation to design, demolition and construction);
- b) The position and construction of protective fencing around the retained trees (to be in accordance with BS 5837: 2012 Trees in relation to design, demolition and construction).
- c) The extent and type of ground protection, and any additional measures required to safeguard vulnerable trees and their root protection areas.
- d) An arboricultural impact assessment which evaluates the direct and indirect impacts of the proposed development on the trees to be retained and proposed mitigation.
- e) An arboricultural method statement to demonstrate that operations can be carried out with minimal risk of adverse impact on trees to be retained.
- f) A method statement for any works proposed within the root protection areas of the trees shown to be retained.

No works in connection with the development hereby approved shall commence unless the tree protection measures have been implemented in full in accordance with the approved tree protection plan. No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities shall be permitted within the protected areas without the written consent of the planning authority and no fire shall be lit in the position where the flames could extend to within 5 metres of foliage, branches or trunks. The approved tree protection measures shall be retained in situ until the development has been completed.

Reason: In order to ensure adequate protection for the trees and hedges on the site during the construction of development, and in the interests of the visual amenity of the area.

6. No works in connection with the permission hereby approved shall commence unless a landscaping scheme including a scheme of compensatory tree planting, has been submitted and approved in writing by the planning authority. Details of the compensatory planting shall include:
 - a) The location of the compensatory tree planting.
 - b) A schedule of planting to comprise species, plant sizes and proposed numbers and density.
 - c) A programme for the implementation, completion and subsequent management of the proposed compensatory tree planting.

The compensatory tree planting shall be carried out in complete accordance with the approved scheme and any planting which, within a period of 5 years from the completion of the compensatory tree planting, in the opinion of the planning authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

Reason: In order to maintain woodland cover in accordance with the aims of local and national planning policies.

ADVISORY NOTES FOR APPLICANT

1. Application for approval of all matters specified in conditions to a grant of Planning Permission in Principle must be made before whichever is the latest of the following dates:
 - a. The expiration of three years beginning with the date of the planning permission in principle; or,
 - b. The expiration of 6 months from the date on which an earlier application (Matters Specified in Condition) for the requisite approval was refused or dismissed following an appeal or review.

In relation to any matter under part (b) above, only one application for approval of matters specified in conditions may be made after the expiration of the planning permission in principle.

The development hereby granted shall be begun before the expiration of two years from the final approval of the matters specified in conditions or, in the case of approval on different dates, the final approval of the last such matters to be approved.

2. Notice of the start of development: The person carrying out the development must give advance notice in writing to the planning authority of the date when it is intended to start the development. Failure to do so is a breach of planning control and could result in the planning authority taking enforcement action. [See sections 27A and 123(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)]. Such notification shall contain the information set out in the 'Notification of Initiation of Development' Notice as appended.
3. Notice of the completion of the development: As soon as possible after the development is finished, the person who completed the development must write to the planning authority to confirm that the development has been completed. [See section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended)]. Such notification shall contain the information set out in the 'Notification of Completion of Development' Notice as appended.