

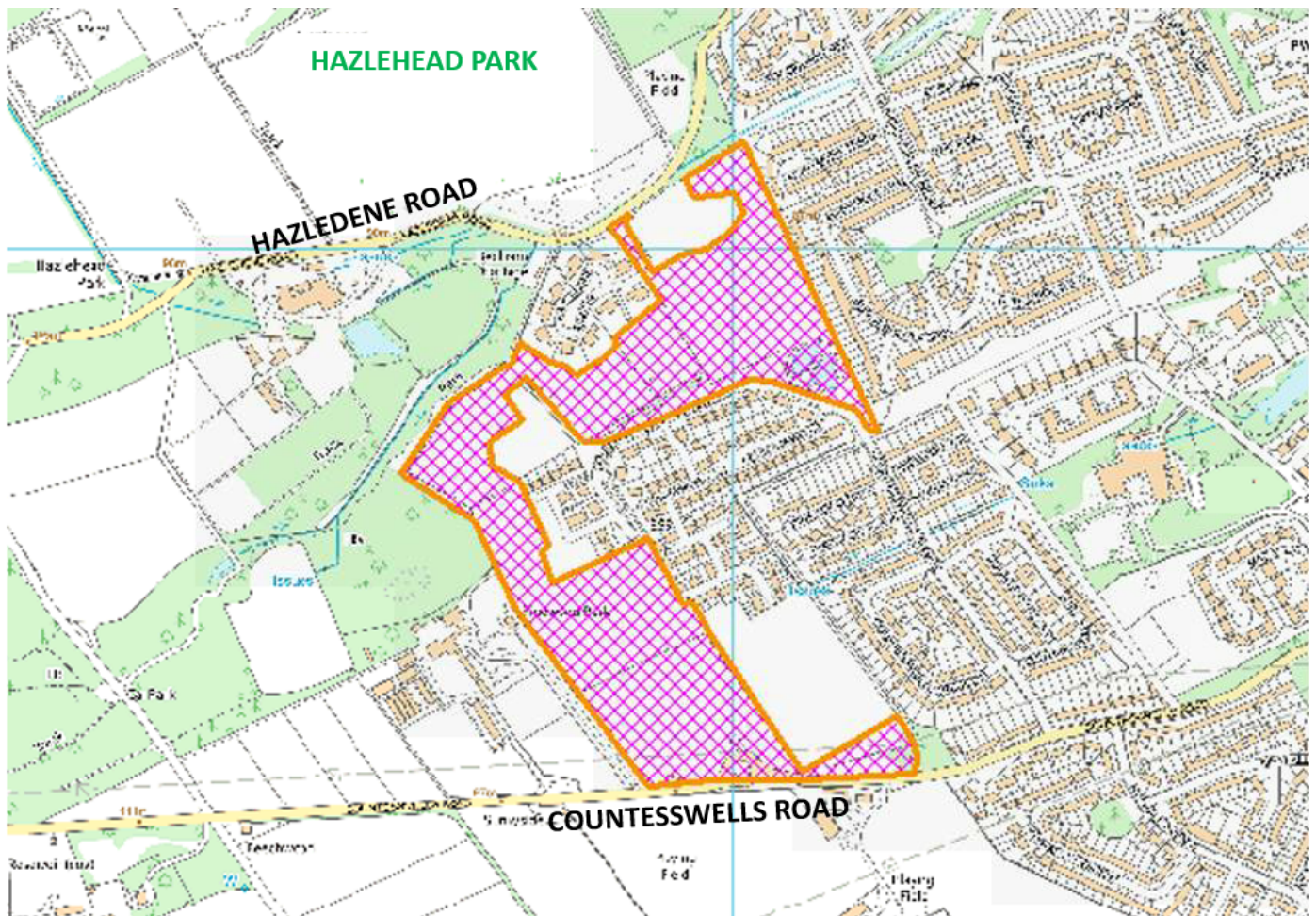


# Planning Development Management Committee

Report by Development Management Manager

**Committee Date:** 30<sup>th</sup> May 2019

<b>Site Address:</b>	Land To South Of Hazledene Road, Aberdeen, AB15 8LD,
<b>Application Description:</b>	Residential development comprising of 216 units (across zones A, B, C, D and E) with associated access, landscaping and infrastructure
<b>Application Ref:</b>	182053/DPP
<b>Application Type</b>	Detailed Planning Permission
<b>Application Date:</b>	6 December 2018
<b>Applicant:</b>	Dandara
<b>Ward:</b>	Hazlehead/Ashley/Queens Cross
<b>Community Council:</b>	Craigiebuckler And Seafield
<b>Case Officer:</b>	Gavin Evans



## RECOMMENDATION

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Approve Conditionally & Legal Agreement

## APPLICATION BACKGROUND

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### Site Description

14.4ha located towards the western edge of the city's urban area and incorporating parts of a wider 'Pinewood and Hazledene' site, between Countesswells Road (to the south) and Hazledene Road (to the north). There are various pockets of completed and ongoing development (first approved in 2010) across this larger Pinewood and Hazledene site, which were allocated for development in both the 2008 Local Plan and the subsequent 2012 Local Development Plan. Following the granting of planning permission and commencement of works, this wider approved area is identified as a residential zoning in the current 2017 Aberdeen Local Development Plan.

### Relevant Planning History

Application Number	Proposal	Decision Date
A7/2178 (072132)	PPiP Pinewood (150 homes)	19.08.10
A8/0530 (080831)	PPiP Hazledene (200 homes)	19.08.10
120029	MSC for Hazledene	10.04.14
120952	MSC for Pinewood	10.04.14
120371	Sales-related advertisements	21.05.12
130994	MSC for Hazledene Zone A layout	17.12.13
131037	MSC for Hazledene (internal roads & traffic calming)	09.12.13
130820	MSC for Hazledene Zone H layout	17.12.13
130983	MSC for Hazledene – landscaping, open space, dry-stone walls	09.12.13
170525/DPP	Erection of care home and 4 dwellings	06.12.17
170243/DPP	Erection of 116 dwellings comprising of 2 apartment blocks, 35 houses and retirement apartment block (Zone F, Pinewood)	22.08.18
180224/PAN	Proposal of Application Notice	02.03.18

## APPLICATION DESCRIPTION

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### Description of Proposal

This application proposes the construction of 216 dwellings within the Pinewood and Hazledene development. It specifically concerns development within Zones A – E of that wider scheme, which includes much of the western part, as well as the remaining undeveloped portion of Zone A.

The proposal sees a range of house types, including 2, 3, 4 and 5 bedroom dwellings and a small number of 2-bedroom flats.

### 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=PJ82ERBZJGW00>.

These include:

- Pre-Application Consultation (PAC) report
- Supporting Statement
- Street elevations/visualisations
- Design Statement
- Pre-Application Consultation Report
- Drainage Assessment and drainage plans
- Flood Risk Assessment
- Arboricultural Impact Assessment (AIA) and Tree Protection Plan (TPP)
- Landscaping plans and planting schedule

### **Reason for Referral to Committee**

The application has been referred to the Planning Development Management Committee because the following factors preclude determination under delegated powers:

- It is a 'Major' development;
- The local Craigiebuckler and Seafield Community Council has objected; and
- The 13 objections exceeds the relevant threshold (6 or more);

## **CONSULTATIONS**

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**ACC - Developer Obligations** – No objection. Notes that affordable housing provision will be made on the basis of: 10% of the initial 149 units (14.9) approved for the application site and delivered off-site (to reflect the terms of the existing consent); and 25% of the additional 67 units (16.75) now proposed. The overall provision would see the equivalent of 14.9 units delivered off-site; plus 16 on-site; and the remaining 0.75 unit requirement paid as a commuted sum of £63,750. Additionally developer contributions are identified towards: Primary Education (£39,525); Secondary Education (£13,175); Core Path Network (£24,924); Open Space (£12,261); and Healthcare (£68,579). Both affordable housing and developer contributions will be secured by an appropriate legal agreement/planning obligation.

**ACC - Environmental Health** – No objection. Advise that local air quality is good; that increased traffic flows on the local network will result in an imperceptible increase in the concentration of PM10, PM2.5 and NO2; and there is thus no risk of exceedance of national air quality objectives locally. Wider air quality impacts are likely to be dispersed, and the AWPR is anticipated to reduce vehicle numbers using Anderson Drive, thus lowering pollution levels on that Air Quality Management Area. Recommend conditions to address the following matters:

#### Noise

No significant change to noise levels is considered likely at existing residential properties in the vicinity. Mitigation is likely to be required to ensure that new properties closest to existing main roads achieve appropriate noise levels. A condition requiring submission of a scheme of noise mitigation measures and related noise impact assessment is required.

#### Dust

A detailed Dust Management Plan should be submitted and agreed by the planning authority, in consultation with Environmental Health officers, prior to works commencing.

In addition, it is recommended that appropriate working hours are highlighted to the developer via an advisory note.

**ACC - Flooding And Coastal Protection** – No objection. Note the detention ponds as the primary means of surface water drainage. Recommend that permeable materials are also considered where practicable in construction, along with options for rainwater harvesting, in order to reduce the effects of surface water runoff.

**ACC - Housing** – No objection. Welcome the mix of house types and emphasis on smaller dwellings (compared to earlier consent).

**ACC – Education** - The site is within the catchment area for Hazlehead Primary School and Hazlehead Academy. The 2017 School Roll Forecasts (SRF) indicate that both schools are currently operating within capacity, however both are forecast to go over capacity by 2021. The additional 67 units will place significant pressure on the schools, therefore mitigation is required by means of reconfiguration works to allow for increased capacity. Factoring the proposed units into the SRF, will equate to a maximum over capacity of 15 pupils at Hazlehead Primary and 5 pupils at Hazlehead Academy. These pupil numbers are then used as the basis for calculating developer contributions, which are identified earlier in this report.

**Police Scotland** – No objection. Conclude the general layout is good from a Crime Prevention through Environmental Design (CEPTED) perspective. Note the presence of rear lanes to some properties, and recommend that consideration be given to gating these, so as to restrict access by non-residents.

**ACC - Roads Development Management Team** – No objection. Issues relating to the nature and detailed design of traffic calming measures have been identified, however these would not alter the roads layout and can be addressed through the Roads Construction Consent (RCC) process.

**North East Scotland Biological Records Centre** – Data search found no records of bats or badgers within 100m of the site.

**Scottish Environment Protection Agency (SEPA)** – No objection. Notes ACC role, as Flood Prevention Authority, in commenting on any issues relating to surface water issues and Sustainable Urban Drainage Systems (SUDS). Note also that a Controlled Activities Regulations (CAR) construction site licence (via SEPA) will be required for management of surface water runoff from the construction site.

**Scottish Water** – No objection. Note that there is currently sufficient capacity at Invercarnie Water Treatment Works and at the Nigg Waste Water Treatment Works to accommodate the proposed development.

**ACC - Waste Strategy Team** – No objection. Highlighted areas of the development which required provision of collection points to be provided, this has since been addressed through revised plans.

**Craigiebuckler And Seafield Community Council** – Object for the following reasons:

- Density, layout and form of the development is not consistent with its surroundings;
- Contend that the developer's ability to sell properties is not a matter for the planning system;
- Raise concerns regarding additional traffic accessing Hazledene Road, which features narrow sections, sharp bends and no pavements in some parts;
- Increased risk to pupils crossing Hazledene Road to attend Hazlehead Primary and Hazlehead Academy;

- Questions the ability of Hazlehead roundabout to accommodate additional vehicles, which are directed there by the 'no right turn' at the junction of Queen's Rd/Hazledene Rd;
- Pollution/air quality concerns relating to additional traffic;
- Impact on the junction of Countesswells Rd/Springfield Rd;
- Increased risk for pupils attending Airyhall Primary;
- Inadequate provision for recreational space
- Consider the drainage system inadequate – being designed for 350 units. Increased number of homes equates to increased risk of surface water flooding due to stated inadequacy of the SUDS system. Consider an additional SUDS basin is required;
- Contend that Hazlehead Primary and Hazlehead Academy have insufficient capacity to accommodate the additional homes; and
- Query capacity at the local GP practice to accommodate the development and considers that ACC will be failing in its role within the Health and Social Care Partnership if approval is granted. Highlight a shortage of GPs in Aberdeen generally.

## **REPRESENTATIONS**

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13 letters of representation have been received, with points of objection summarised as follows:

- Development will result in increased strain on local roads, healthcare and education infrastructure;
- That any funding towards infrastructure should be provided at the outset, rather than as development progresses;
- Development will lead to further parking problems on Hazledene Drive;
- Suggest that all new 'Zone A' traffic should be directed to Countesswells Road junction, rather than exiting via Hazledene Road;
- The junction of Countesswells Road and Springfield Road is at capacity;
- The Drainage Assessment fails to consider the impact of additional outflow, which will exacerbate poor drainage downstream;
- Notes that the timing of the response period appears designed to reduce potential for representation;
- Suggests an increase in both traffic volumes and speeds since development of the wider site began. Considers that this additional volume of development will further contribute to road safety issues;
- Complains that no notification was issued to 4 John Porter Place;
- Contends that the increased density is at odds with the developed sections of Pinewood/Hazledene, as well as the established residential areas beyond;
- States that the increased density fails to accord with policies H1 and H3 of the ALDP, which require development to have consideration for the site's characteristics and those of the surrounding area;
- Disagrees with the earlier approval of flatted blocks within 'Zone F';
- Notes that the introduction of 3-storey buildings is not appropriate to the more open nature of land to the south and west;
- Contends that the variety in density, scale and unit mix across the wider site is such that it results in a number of unrelated streetscapes;
- Green spaces within the development are unclear in their function and useability. Gives examples of children playing on verges and scraps of green space in the completed sections of the development;
- Size and specification of the children's play area is considered inadequate.
- Provision should be made for small business units;
- There is a need for clear agreement on the point at which access via the Countesswells Road roundabout will be possible;

- States a requirement for tree protection during construction;
- Queries the need for path between units A57 and A58 (outwith site);
- The Sharp bend on Hazledene Road, next to site access, is currently a hazard, and this will be exacerbated. Widening and realignment is required before new housing can be accepted;
- No through route should be allowed to Hazledene Road – this would be used as a ‘rat-run’;
- Concern over adequate drainage and sewage facilities to accommodate the development;
- This proposal differs from the original permission, in that parts of the development are now accessed from Hazledene Road. This would change the recreational character of Hazledene Road, which is not suitable for this level of traffic;
- Ask whether SEPA and Scottish Water have been consulted on sewerage/drainage issues;
- Query whether ACC Roads and Scottish Government will assess the impact of additional traffic;
- Query whether impact on the burn and Walker Dam has been taken into account;
- Highlight past surface water problems on the site, both before development and during construction of earlier phases;
- Query the appropriateness of shared surface streets and the ability of cul-de-sacs to accommodate large vehicles manoeuvring. The development is not considered to be ‘safe’ or ‘easy to move around’, which are among the characteristics sought by policy D1 of the ALDP;

## **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.

### **National Planning Policy and Guidance**

#### Scottish Planning Policy (SPP), 2014

SPP’s Principal Policies, in relation to Sustainability and Placemaking, are both of relevance. The former states that ‘*SPP introduces a presumption in favour of development that contributes to sustainable development*’. This is explained as meaning that decisions should be guided by a series of stated principles. Of particular relevance to this proposal are:

- ‘*supporting good design and the six qualities of successful places*’;
- ‘*making efficient use of existing capacities of land, buildings and infrastructure*’;
- ‘*supporting delivery of accessible housing...*’;
- ‘*supporting climate change mitigation and adaptation including taking account of flood risk*’;
- ‘*improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation*’;
- ‘*having regard to the principles for sustainable land use set out in the Land Use Strategy*’;  
*and*
- ‘*avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality*’

SPP’s Placemaking policy sets out that ‘*Planning should take every opportunity to create high quality places by taking a design-led approach*’. It also outlines that the planning system should support development that is designed to a high quality, which demonstrates the six qualities of successful place:

- Distinctive

- Safe and Pleasant
- Welcoming
- Adaptable
- Resource-efficient
- Easy to Move Around and Beyond

SPP also highlights that design is a material consideration in determining planning applications, and that permission may be refused and the refusal defended at appeal solely on design grounds.

### **Aberdeen City and Shire Strategic Development Plan (2014) (SDP)**

The purpose of the SDP is to set a spatial strategy for the future development of the Aberdeen City and Shire. The general objectives of the plan are promoting economic growth and sustainable economic development which will reduce carbon dioxide production, adapting to the effects of climate change, limiting the use of non-renewable resources, encouraging population growth, maintaining and improving the region's built, natural and cultural assets, promoting sustainable communities and improving accessibility.

From the 29 March 2019, the Strategic Development Plan 2014 will be beyond its five-year review period. In the light of this, for proposals which are regionally or strategically significant or give rise to cross boundary issues between Aberdeen City and Aberdeenshire, the presumption in favour of development that contributes to sustainable development will be a significant material consideration in line with Scottish Planning Policy 2014.

The Aberdeen City Local Development Plan 2017 will continue to be the primary document against which applications are considered. The Proposed Aberdeen City & Shire SDP 2020 may also be a material consideration.

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

Policy D1 - Quality Placemaking by Design

Policy D2 - Landscape

Policy NC8 - Retail Development Serving New Development Areas

Policy I1 - Infrastructure Delivery and Planning Obligations

Policy T2 - Managing the Transport Impact of Development

Policy T3 - Sustainable and Active Travel

Policy H1 - Residential Areas

Policy H3 – Density

Policy H4 - Housing Mix

Policy H5 - Affordable Housing

Policy NE1 - Green Space Network

Policy NE4 - Open Space Provision in New Development

Policy NE5 - Trees and Woodlands

Policy NE6 – Flooding, Drainage and Water Quality

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

- Planning Obligations
- Affordable Housing
- Transport and Accessibility
- Natural Heritage
- Trees and Woodlands

- Flooding, Drainage and Water Quality
- Green Space Network and Open Space
- Resources for New Development

## EVALUATION

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### **Principle of Development**

The principle of residential development on the site has been established through its allocation for such development in the 2008 Local Plan, the subsequent 2012 Aberdeen Local Development Plan, along with associated grants of planning permission for development of both the Pinewood and Hazeledene sites. In the current ALDP, the site lies within a residentially zoned area, where policy H1 applies. On this basis, it is considered that the acceptability of this proposal lies in consideration of its merits in terms of: design, placemaking and other areas of detail. This is explored in detail below.

### **Scale of Development**

The proposal sees a greater number of units than were previously consented within this part of Pinewood and Hazledene. This sees an additional 67 units within the site boundaries, compared to the extant consent. Additionally the wider originally granted 350 units saw a greater focus on larger detached dwellings of 3-5 bedrooms. However, consideration of those earlier proposals pre-dates the Local Development Plan's setting of density targets via policy, which seeks to ensure that development sites make efficient use of the City's finite land resource and are developed with the aim of achieving sustainable development. Density is discussed in more detail below. Further, the 2018 consent approved a reconfigured Zone F, which introduced 2 flatted blocks and bungalow house types, alongside dedicated retirement accommodation. This increased the number of units approved across the Pinewood and Hazledene sites to 412. The current proposal would take this to 479 units across 27ha. It is notable that this increase has also resulted in a more diverse mix of unit types and sizes. As mentioned the original consent saw primarily large detached dwellings, this has/would evolve to incorporate detached, semi-detached and terraced housing from 2-5 bedrooms (including bungalows), alongside flatted blocks of a scale considered appropriate to the site, as well as dedicated retirement accommodation for over-55s and a residential care home (in Zone A). Thus Pinewood/Hazledene considered as a whole, could now be considered a good example of achieving a mix of unit types and sizes, as advocated by ALDP Policy H4. The fact that unit numbers have increased from that originally consented is not precluded by the Development Plan, and perhaps merely reflects the increased emphasis that subsequent development plans have placed on the efficient use of land to meet identified needs. It is also notable that the Proposed Strategic Development Plan, currently submitted to Scottish Ministers for Examination, sets an increased target for new housing sites in the Aberdeen City Strategic Growth Area to generally achieve no less than 50 dwellings per hectare (compared to 30 units/ha in the current ALDP). In this context, the increased number of units is considered to be acceptable in principle, subject to an appropriate form of development relative to the context and compliance with the Development Plan in other respects.

### **Affordable Housing**

Policy H5 of the ALDP requires no less than 25% of the total number of units as affordable housing. In this instance, it is noted that there is an existing consent associated to the site, this required 10% affordable housing provision. This permission has been implemented across earlier phases of the development and thus remains a relevant material consideration. On that basis, it was agreed at pre-application stage that the now applicable 25% affordable housing requirement would be applied only in relation to the 'additional' 67 units, from the existing pro-rata value associated to the site, such that the 149 units previously consented within the site boundary would



continue to attract a 10% rate. Affordable Housing relating to the existing consent (the 10% component) would be delivered off-site, at both Summerhill Road and an as-yet-unspecified second location. The supporting statement indicates that Affordable Housing relating to the 'additional' units would be delivered on-site. These matters can be secured through a section 75 planning agreement, ensuring that the development would incorporate an appropriate proportion of Affordable Housing and therefore materially comply with policy H5 (Affordable Housing) and the associated 'Affordable Housing' SG.

### **Developer Obligations**

Policy I1 of the ALDP sets out that development must be accompanied by the necessary infrastructure, services and facilities required to support expanded communities. ACC's 'Planning Obligations' SG sets out the methodology for calculating developer contributions and the mechanism by which they will be secured. The existing/original consent included for 149 units within the site. Developer contributions relating to that consent were paid up-front and have since been utilised in full by ACC. On that basis, the Council's Developer Obligations team has assessed this proposal on the basis of the 'additional' 67 units, identifying contributions towards: primary education (£39,525), secondary education (£13,175); the Core Path network (£24,924); open space (£12,261); and healthcare (£68,579). It should be noted that these contributions are in addition to the £302,364.50 which previously secured via earlier consents at Pinewood and Hazledene. By utilising a planning agreement to secure these contributions, compliance with policy I1 of the ALDP and its associated 'Planning Obligations' SG can be ensured.

### **Design/Architecture/Placemaking**

The proposal concerns various as yet undeveloped areas within two larger development sites, and as might be expected the design and general arrangements reflect the completed phases of development in many respects, although with a greater focus on small and mid-sized homes. Many key features of the original consents remain, such as access points (onto Hazledene Road, Countesswells Road and Countesswells Avenue), the route of the central spine road and the central swathe of green space running east-to-west. The central spine road, which connects Countesswells Avenue and Countesswells Road, is intended to support bus services and is accompanied by tree planting and landscaped spaces to create an attractive, gently sweeping route through the development, with secondary routes branching off into a series of character areas or 'zones'.

Zone A, at the north-eastern corner and accessed via Hazledene Road, remains characterised by detached houses, albeit the house types are generally smaller than previously consented. Zone B, to the north-western corner, is also characterised by detached homes, with an increase in density heading south into the adjoining Zone C, which features rows of 2 and 3-bed terraced houses. Further to the south, on the western side of the Pinewood site, Zones D and E remain of a slightly higher density. Zone E is the southernmost part of the site and the southern edge of the development, looking out over green space to Countesswells Road. It is characterised by a sweeping crescent of 3-storey townhouses (2 full storeys with dormer windows above) that is itself bookended by small blocks of 3 flats. Car parking at the front of this crescent is partially screened from by tree planting and landscaping, which includes the introduction of gently sloping landforms to soften the public face of the development. These landscaped spaces incorporate a network of footpaths which connect to nearby Core Paths (see later section on accessibility).

A consistent pallet of materials, which reflects that of earlier phases of development, is used throughout. This includes white render, areas of stone cladding to break up larger elevations and pick out details such as facing gables, and dark grey coloured roof tiles. Warmer wood tones in doors, porches and garage doors assist in softening that colour scheme, and dormer windows on some house types, including the sweeping south-facing crescent, are a familiar feature of the surrounding area which add variety and interest. On balance, it is considered that the proposed scheme is well-considered, demonstrates due regard for its context and results in a series of

distinct character areas, unified by a consistent pallet of materials. On that basis, it is considered that the proposal accords with the provisions of policies D1 (Quality Placemaking by Design) and D2 (Landscape) of the ALDP.

### **Density**

Policy H3 of the ALDP states that residential developments over one hectare must meet a minimum density of 30 dwellings per hectare (net), but must also have regard for a site's characteristics and those of the surrounding area, with the aim of creating an attractive residential environment and living conditions within the development. Local context is important in ensuring that developments are well integrated into existing communities, and the applicant has estimated densities of approximately 20 dwellings/ha at Countesswells Avenue and 25 dwellings/ha at Craigiebuckler Avenue. The proposed development achieves an overall density of 22.6ha, however it is noted that the wider Pinewood and Hazledene sites include a greater proportion of flatted accommodation, particularly within Zone F, as well as a care home in Zone A which includes the provision of care along with higher-density residential accommodation. In this regard, the proposed density is considered to be appropriate to its context and, whilst failing to achieve 30 dwellings/ha within the boundary of the current application, the overall density of development across the two allocated sites would represent a contextually efficient use of the available land, consistent with the aims of policy H3 (Density) of the ALDP.

### **Landscaping/Open Space**

A central area of parkland sweeps through the development to the south of Zone A, and includes footpath connections and an equipped play space. To the south of Zone E is a further area of landscaped amenity space, which assists with softening the southern edge of the development and presenting an attractive frontage to Countesswells Road. This area also includes footpath connections, tree planting and raised landforms to partially screen areas of car parking at the frontage of the crescent. In addition to these larger spaces, there are smaller areas of incidental open space throughout, and the main spine road is a transecting attractive tree-lined route. Overall this represents a good level of open space across the development and serves to create an appropriate landscape setting thereto, consistent with its context. Whilst the location of the equipped play space is appropriate, it is considered that the play equipment proposed is lacking and therefore it is recommended that a condition seeks an alternative specification and to ensure it is equivalent to a Locally Equipped Area of Play (LEAP) standard, thereby ensuring compliance with policy NE4 (Open Space) and its associated SG. It may not be necessary for this play space to be enclosed by fencing as it sits comfortably within a wider area of open space. The green swathe which runs through the site from east to west also allows for connection to the wider Green Space Network, consistent with policy NE1 (Green Space Network). Trees present within the site, and along its periphery, will be protected throughout development, as set out in the supporting Arboricultural Impact Assessment and Tree Protection Plan, consistent with policy NE5 (Trees and Woodlands).

### **Transport and Accessibility**

It is noted that residential development at Pinewood and Hazledene is well established through the Local Development Plan and the previous consents granted. This proposal involves a reconfigured scheme which results in an additional 67 units within the site. The nearest bus stop (on Countesswells Avenue) is 480m away, however it is noted that the site layout accommodates a bus route (the central spine road) and at the time of the initial consent operators had expressed an intention to route services therein. The Council's Roads Development Management Team has expressed no concern over the additional units proposed, nor the level of car parking provided to serve the development. Appropriate provision is also made for cycle and motorcycle parking. The site layout includes appropriate provision for pedestrians, with a network of new footpaths running throughout open spaces and connecting to the surrounding streets and Core Paths. Technical issues relating to the internal road layout and drainage of larger areas of car parking have now been satisfactorily addressed, and the detailed design will be subject to further consideration via

the Roads Construction Consent process. Taking these matters into account, the proposal demonstrates compliance with policies T2 (Managing the Transport Impact of Development) and T3 (Sustainable and Active Travel), as well as the associated 'Transport and Accessibility' Supplementary Guidance.

### **Drainage**

Policy NE6 (Flooding, Drainage and Water Quality) sets out requirements on flood risk and drainage, as such both a Flood Risk Assessment (FRA) and Drainage Impact Assessment (DIA) have been submitted. The FRA concludes a low risk of flooding and no required mitigations necessary. The DIA notes that the overall Pinewood and Hazledene development has two surface drainage networks, directing flows to two detention ponds, located in Zone A and Zone H. It explains that the overall development is designed in line with SUDS principles, restricting discharge to its pre-development rate. The DIA also includes analysis to show how the drainage system would cope in flood events. These submissions have been reviewed by SEPA and the Council's own Flooding team, with no objection or concerns raised. On that basis, it is considered that the proposal adequately addresses matters of flood risk and site drainage, consistent with policy NE6 (Flooding, Drainage and Water Quality) of the ALDP.

### **Refuse/Recycling**

Policy R6 (Waste Management Requirements for New Development) of the ALDP sets out that all new development should have sufficient space for the storage of general waste, recyclable materials and compostable wastes, including provision for bins to be presented on collection days. In this regard dwellings will present bins at driveway entrances for collection, and flatted blocks see appropriately sited external bin stores. Some minor revisions have been made since submission, and these are now considered acceptable by the Council's Waste Strategy Team. Thus it is considered that the proposal complies with policy R6 of the ALDP, along with Part B of the associated 'Resources for New Developments' SG.

### **Resources for New Development**

Policy R7 (Low and Zero Carbon Buildings and Water Efficiency) requires that all new buildings are constructed to achieve specified reductions in carbon emissions through the use of low and zero carbon generating technologies. The associated Supplementary Guidance provides that compliance may also be achieved through efficiencies in the building fabric. The Low/Zero Carbon Energy Statement demonstrates that enhanced levels of insulation, high-efficiency heating and hot water installations and photovoltaic technology achieve the required standard. A separate Water Efficiency Statement sets out that water meters will be fitted to all dwellings, dual and low-volume flush cisterns will be used, and all dwellings with rainwater downpipes will be provided with a 200 litre water butt as a means of rainwater harvesting. These measures will meet the provisions of policy R7 of the ALDP and its associated 'Resources for New Development' SG.

### **Matters Raised in Representations**

- *Development will result in increased strain on local roads, healthcare and education infrastructure;*  
Consultation with the Council's Roads Development Management Team has identified no concerns regarding the existing road network's ability to accommodate the proposed development. A requirement for Developer Contributions in relation to healthcare, primary education and secondary education has been identified, and the necessary contributions will be secured via a planning obligation (legal agreement).
- *Contends that any funding towards infrastructure should be provided at the outset, rather than as development progresses;*

The timing of developer contributions payments will be set out in the planning agreement, and reflect the contextual issues of the proposal. Generally, requiring larger developments to pay all developer contributions up-front may not be considered reasonable on the basis that it could serve to stifle development planned through the ALDP.

- *Development will lead to further parking problems on Hazledene Drive;*  
Hazledene Drive is understood to be the road which provides access to Zone A, from Hazledene Road, to the north. Adequate provision has been made for car parking within residential plots, via garages and driveways, in accordance with the Council's relevant 'Transport and Accessibility' SG. On that basis there should be no significant need for residents to park on-street, however they would be entitled to do so as no parking restrictions apply.
- *Suggestion that all new Zone A traffic should be directed to Countesswells Road junction, rather than exiting via Hazledene Road; and*
- *Junction of Countesswells Road and Springfield Road is already at capacity;*  
Zone A remains characterised by large detached dwellings. 52no dwellings are proposed in Zone A as part of this application, for a total of 66 units in Zone A in total, compared to 50 initially authorised. This number of properties is not considered to result in any significant additional impact on the local road network, as reflected by the absence of adverse comment from ACC's Roads Development Management Team.
- *Notes an increase in both traffic volumes and speeds since development of the wider site began. Considers that this additional development will further contribute to road safety issues;*  
It is to be expected that the development of a greenfield site will result in increased traffic volumes on the local road network, and developers will be obliged to mitigate the impacts associated with their development (as opposed to addressing pre-existing issues). This led to the developer being responsible for the construction of a new roundabout junction on Countesswells Road. No concerns have been expressed by the Council's Roads Development Management Team in relation to traffic speeds or road safety.
- *Notes that the timing of the response period appears designed to reduce potential for representation;*  
The timing of representation periods is determined by the date of submission of an application. In this instance, notifications to notifiable neighbours were issued on 18<sup>th</sup> Dec 2018, with an advert published on 19<sup>th</sup> December. The response period closed would ordinarily have closed on 8<sup>th</sup> January, however additional time was requested by the local Community Council, and so it was agreed to extend the deadline for both the Community Council and any other members of the public to 23<sup>rd</sup> January.
- *Complains that no notification was issued to 4 John Porter Place;*  
Notifications are issued automatically, based on data within a GIS mapping system. This data is understood not to have included the newest dwellings within the Pinewood/Hazledene development at the time notification was undertaken. Thus some properties recently completed/ occupied may not have been notified. However, to address such issues the application was also advertised in the local press, to ensure that statutory requirements are met.
- *Contends that the density is at odds with developed parts of Pinewood/Hazledene, as well as the established residential areas beyond; and*

- *The density fails to accord with policies H1 and H3 of the ALDP, which requires development to have consideration for the site's characteristics and those of the surrounding area;*  
The density both within the site and the wider development is considered comparable to the surrounding communities. However it should be noted also that policy H3 of the ALDP seeks to deliver optimised densities on new development sites, in order to make efficient use of land and promote sustainable patterns of development. Detailed consideration of density and placemaking context is included in the design and density sections of this report, and it should be noted that the ALDP does not simply advocate replicating the density of adjoining areas, and the now increased density is consistent with the aims of policy H3.
- *Disagrees with the earlier approval of flatted blocks within Zone F at Pinewood;*  
This is not relevant to consideration of the current application.
- *Notes that the introduction of 3-storey buildings is not appropriate to the more open nature of land use to the south and west;*  
The only full 3-storey buildings are the two flatted blocks which 'bookend' the 2 ½ storey townhouses in the crescent at the south of Zone E. Any increase in scale is consistent with an appropriate and efficient density of the development on this site, and is not considered to be excessive or incongruous.
- *Contends that the variety in density, scale and unit mix across the wider site is such that it results in a number of unrelated streetscapes;*  
The design and form of the development is discussed earlier in this report, however the proposals clearly intended to create a series of distinct 'character areas' within a wider development, in order to provide interest, variety and a distinct sense of 'place', all unified by a consistent pallet of materials. This approach is supported by the ALDP and by 'Creating Places', the Scottish Government's policy statement on Architecture and Place.
- *Green spaces within the development are unclear in their function and useability. Gives examples of children playing on verges and scraps of green space in the completed sections of the development;*  
The overall development makes ample provision for open space, including dedicated play areas within the largest central space, to the south of Zone A. It is appreciated that the early phases of development have not had the benefit the full provision of open spaces in the short-term, however this will be addressed in due course, as development progresses.
- *Size and specification of the children's play area is inadequate.*  
Whilst the location of the play space is considered appropriate, the equipment proposed is to be finalised via a condition to secure an alternative specification.
- *Provision should be made for small business units within the development;*  
Retail and commercial uses are not been proposed and previous consents for the site made no provision for such retail or commercial use. On balance it is not considered that this issue warrants refusal of the application.
- *There is a need for clear agreement on the point at which access via the Countesswells Road roundabout will be possible;*  
It is understood that construction access is presently taken via the Countesswells Road junction, but that residential access remains via Countesswells Avenue and Hazledene Road. It is good practice to keep residential traffic and construction vehicles separate unless shared access is unavoidable. On that basis, it is appropriate to continue to utilise

the Countesswells Road roundabout junction for construction access, with householders utilising Countesswells Avenue. Whilst this will mean additional traffic on this route in the short-term, the progression of work in the southern portion of the development (Pinewood) will allow for this to operate as the main site access in due course.

- *States a requirement for tree protection during construction;*  
Noted – a scheme of tree protection has been provided and a suitable condition is recommended.
- *Queries the need for path between units A57 and A58 (outwith site);*  
These units lie outwith the current application boundary, so are not within the scope of the applications consideration.
- *Sharp bend on Hazledene Road next to site access is currently a hazard, and new development will exacerbate this. Widening and realignment is required before new housing can be accepted;*  
Localised widening and improvements to Hazledene Road were required in connection with planning permission Ref: 130994, which first provided for access to the site from the north. Those works have been completed and the Council's Roads Development Management Team has not identified any requirement for further upgrades.
- *No through route should be allowed to Hazledene Road – this would be used as a 'rat-run';*  
Noted – no through route from Hazledene Road to Countesswells Road is proposed, besides an emergency access connection.
- *Concern over adequate drainage and sewage facilities to accommodate the development;*  
Scottish Water have advised on foul drainage, noting that there is presently capacity at Nigg Waste Water Treatment Works to accommodate the development. Surface water drainage is considered via the submitted Drainage Impact Assessment and Flood Risk Assessment, and it is noted that neither SEPA or ACC's Flooding Team have expressed concern.
- *This proposal differs from the original permission in that parts of the development are now accessed from Hazledene Road. This has changed the recreational character of Hazledene Road, which is not suitable for this level of traffic;*  
Access to Zone A from Hazledene Road already exists, having previously been consented. There is no significant change to access arrangements as part of this proposal.
- *Asks whether SEPA and Scottish Water have been consulted on sewerage/drainage issues;*  
Yes – Detailed responses summarised in this report are available via planning portal.
- *Queries whether ACC Roads and Scottish Government will assess the impact of additional traffic;*  
Yes – ACC Roads Development Management response summarised in this report and available in full via planning portal. The Scottish Government have no locus to comment, or be consulted.
- *Drainage Assessment fails to consider the impact of additional outflow, which will exacerbate poor drainage downstream; and*
- *Queries whether impact on the burn and Walker Dam has been taken into account;*  
The potential for impacts on local watercourses is addressed through a scheme of appropriate drainage for the site, which includes the treatment of surface water before it is

discharged from the site, and measures to ensure that the rate at which water is discharged from the site is not increased.

- *Highlights past surface water problems on this site, both before development and during construction of earlier phases;*  
Noted – it is understood that site drainage has been historically problematic, both prior to development and in the early phases of development. Permanent drainage infrastructure should address this, and it is noted that the applicant has included details of construction-phase drainage measures, which includes a series of temporary surface water storage areas, each with an overflow connection to the permanent drainage network.
- *Queries the appropriateness of shared surface streets and the ability of cul-de-sacs to accommodate large vehicles manoeuvring. The development is not considered to be 'safe' or 'easy to move around', which are among the characteristics sought by policy D1 of the ALDP;*  
Shared surface streets are appropriate for secondary residential streets where traffic volumes are less and speeds controlled through design of the road. In this case, it can be seen that traditional pavements are maintained along the principal spine road, which would serve as the main distributor road through the development. This approach is consistent with 'Designing Streets' and there has been no objection expressed by ACC's Roads Development Management Team.

### **Matters Raised by Community Council**

- *Density, layout and form of the development is not consistent with its surroundings;*  
Addressed in Design/Architecture/Placemaking section of report.
- *Contends that the developer's ability to sell properties is not a matter for the planning system;*  
The introduction of a greater range of dwelling types and sizes is desirable in planning terms and actively sought by the Local Development Plan, regardless of the developers commercial considerations.
- *Raises concerns regarding additional traffic accessing Hazledene Road, which features narrow sections, sharp bends and no pavements in some parts;*  
Addressed within report.
- *Increased risk to pupils crossing Hazledene Road to attend Hazlehead Primary and Hazlehead Academy; and*
- *Questions the ability of Hazlehead roundabout to accommodate additional vehicles, which are directed here by the 'no right turn' at the junction of Queen's Rd/Hazledene Rd;*  
The additional trips generated by the additional 12 dwellings in Zone A, and accessed via Hazledene Road, is not considered to be significant in terms of pedestrian safety or junction capacity, and has not been the subject of any concern from the Council's Roads Development Management team.
- *Pollution/air quality concerns relating to additional traffic;*  
The Council's Environmental Health officers have assessed the proposal and concluded that the impact locally would be imperceptible and that substantial impact on the Anderson Drive/Haidagain Roundabout/Auchmill Road Air Quality Management Area is unlikely.
- *Impact on the junction of Countesswells Rd/Springfield Rd;*

The additional number of units proposed is not considered to necessitate interventions in the surrounding road network, over and above those previously secured in connection with the original consent.

- *Increased risk for pupils attending Airyhall Primary;*  
The application site is within the catchment area for Hazlehead Primary.
- *Inadequate provision for recreational space*  
Discussed in the Landscaping/Open Space section of this report.
- *Drainage system inadequate – designed for a development of 350 units. Increased number of homes equates to increased risk of surface water flooding due to inadequacy of the SUDS system. It follows that an additional SUDS basin is required for additional homes;*  
Discussed in the Drainage section of this report. The submitted Drainage Assessment confirms that the detention ponds have been designed in accordance with SUDS criteria and Sewers for Scotland, and approved by Scottish Water, with the overriding principle that outfall from the site shall not exceed its pre-development greenfield runoff. No concerns are raised by the Council's Flooding Team.
- *Contend that Hazlehead Primary and Hazlehead Academy have insufficient capacity to accommodate the additional homes;*  
The Developer Obligations response highlights that the 2017 School Roll Forecasts indicate that both Hazlehead Primary and Hazlehead Academy are currently operating within capacity, but are forecast to go over capacity by 2021. Per the Council's 'Planning Obligations' SG, contributions are sought in order to mitigate the identified impact of the development. In this instance, contributions are sought on the basis of reconfiguration works to allow for increased school capacity.
- *Queries capacity at local GP practice to accommodate development and considers that ACC will be failing in its role as a partner in the Health and Social Care Partnership if approval is granted. Highlights a shortage of GPs in Aberdeen generally;*  
Developer Obligations response states that infrastructure requirements have been calculated in consultation with NHS Grampian on the basis of national health standards and by estimating the likely number of new patients generated by the proposed development. In this instance, a contribution has been identified towards a new health centre at Countesswells, which will serve residents of this proposed development.

### **Strategic Development Plan (SDP)**

In terms of assessment against the Strategic Development Plan, it is noted that the Pinewood and Hazledene sites have previously been allocated through the Local Development Plan, subsequently consented and works have commenced accordingly. The proposed increase in the number of units is not considered to be of strategic or regional significance, or to require consideration of cross-boundary issues and, therefore, does not require detailed consideration against the SDP.

### **Heads of Terms of any Legal Agreement**

A legal agreement will be required in order to secure developer contributions in relation to the 'additional' 67 units, along with affordable housing provision. Affordable Housing provision will be made at 10% of the initial 149 units, reflecting the terms of the existing consent, and at 25% for the 'additional' units. The 10% provision to be made in relation to the initial 149 units shall also allow for off-site delivery, as previously agreed in relation to applications A7/2178 and A8/0530. Developer contributions to be secured are as follows:



- £39,525 towards Primary Education;
- £13,175 towards Secondary Education;
- £24,924 towards Core Path Network;
- £12,261 towards Open Space; and
- £68,579 towards Healthcare

### **Time Limit Direction**

Not applicable – standard 3 year consent applies.

## **RECOMMENDATION**

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Approve Conditionally & Legal Agreement

## **REASON FOR RECOMMENDATION**

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The principle of residential development on this site is well established through its allocation in previous iterations of the Aberdeen Local Development Plan and the previous granting of planning permission. The proposal is considered to be consistent with the provisions of policy H1 (Residential Areas) of the Aberdeen Local Development Plan (ALDP). The increased density of development is consistent with the efficient use of allocated sites, as advocated by Scottish Planning Policy (SPP), and it is considered that the proposal achieves a high standard of design, which incorporates a good range of unit types and sizes. The proposal incorporates an appropriate quantity of landscaped open space, which safeguards existing trees where practicable and allows for connection between designated Green Space Network areas. Provision is made for equipped play space within a central landscaped open space, and the central spine road allows for the provision of bus services in due course. The site is adequately accessible and makes appropriate footpath connections to the surrounding Core Paths network. Provision is made for surface water drainage and the site is not at risk of flooding. Appropriate legal agreements can secure developer contributions to offset the impacts of the development on local services and also to ensure that an appropriate proportion of the approved units are provided as some form of affordable housing, as required by policy H5 (Affordable Housing). On balance, it is concluded that the proposal demonstrates its accordance with the provisions of the Development Plan, particularly key policies H1 (Residential Areas), D1 (Quality Placemaking by Design), H3 (Density), H4 (Housing Mix), H5 (Affordable Housing), I1 (Infrastructure Delivery and Planning Obligations) and NE6 (Flooding, Drainage and Water Quality), and no material considerations, including matters raised in representations and via consultee responses, are of sufficient weight to warrant determination other than in accordance with the Plan.

## **CONDITIONS**

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(1) that no development shall take place other than in accordance with the hereby approved scheme of tree protection (Struan Dalgligh Arboriculture, Tree Protection Plan (TPP) and Drawing, Dated Nov 2018) - in order to ensure adequate protection for all trees to be retained on the site during construction works.

(2) that any tree work, not specified in the submitted Arboricultural Impact Assessment (AIA), which appears to become necessary during the implementation of the development shall not be undertaken without the prior written consent of the Planning Authority; any damage caused to trees growing on the site shall be remedied in accordance with British Standard 3998: 2010

"Recommendations for Tree Work" before the building hereby approved is first occupied - in order to preserve the character and visual amenity of the area.

(3) that all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, 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.

(4) none of the buildings hereby granted planning permission shall be occupied unless the boundary enclosures relevant to that plot have been laid out in accordance with the approved scheme (Dandara Landscape Plans for Zones A, B, C, D and E - Drawing nos M\_APL\_230\_Rev A; M\_APL\_231\_Rev A; M\_APL\_232\_Rev A) - in order to preserve the amenity of the neighbourhood.

(5) that the development hereby granted planning permission shall not be fully occupied unless all drainage works detailed on Plan Nos ABR\_PID\_115\_Rev A, ABR\_PID\_116\_Rev B and ABR\_PID\_117\_Rev C or such other plan as may subsequently be approved in writing by the planning authority for the purpose have been installed in complete accordance with the said plan - in order to safeguard water qualities in adjacent watercourses and to ensure that the proposed development can be adequately drained.

(6) none of the buildings hereby granted planning permission shall be occupied unless the car parking areas relevant to that plot and hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing No. M\_APL\_243 of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of cars ancillary to the development and use thereby granted approval - in the interests of public safety and the free flow of traffic.

(7) notwithstanding the specification shown on the submitted plans, no development pursuant to this planning permission shall be undertaken unless details of a suitably equipped play space (equivalent to a Locally Equipped Area for Play - LEAP) have been submitted to and agreed in writing by the planning authority. Such approved equipped play area shall have been laid out and made available for use in accordance with a phasing plan to be submitted to and agreed in writing by the planning authority prior for occupation of any units within the approved development - in order to ensure that the development is served by dedicated play space of appropriate size and quality, as required by policy NE4 (Open Space) of the ALDP.

(8) no dwelling/flat within the hereby approved development shall be occupied unless there has been submitted to and approved in writing by the planning authority a Noise Impact Assessment and associated scheme of mitigation measures in order to address traffic noise affecting the new properties closest to existing roads. Thereafter development shall be carried out in full accordance with the approved measures, and no unit shall be occupied unless the required mitigation

measures relevant thereto have been fully implemented - in order to ensure that an adequate level of amenity is afforded to residents within the development.

(9) no development pursuant to this planning permission shall be undertaken unless there has been submitted to and approved in writing by the planning authority a detailed Dust Management Plan, which identifies potential sources of dust and measures for dust attenuation. Thereafter all works shall be carried out in full accordance with the agreed Dust Management Plan - in order to protect the amenity of residents in the surrounding area.

(10) no unit within the development hereby approved shall be occupied unless evidence that the relevant unit(s) have achieved the required Gold Standard building standards sustainability label, specifically with regard to the incorporation of water-saving measures as set out in the Dandara 'Water Efficiency Statement: Zones A, B, C, D and E, Pinewood/Hazledene (rev A)', dated September 2018 - in order to secure a reduction in water usage and ensure compliance with policy R7 (Low and Zero Carbon Buildings and Water Efficiency) of the ALDP and the associated 'Resources for New Development' Supplementary Guidance.

(11) no unit within the development hereby approved shall be occupied unless the measures set out in the approved 'Low/Zero Carbon Energy Statement, September 2018 (or any other such scheme as submitted to and approved in writing by the planning authority for the same purpose) have been implemented in full for that unit/those units - to ensure that this development complies with requirements for reductions in carbon emissions specified in the City Council's relevant published Supplementary Guidance document, 'Low and Zero Carbon Buildings'.

(12) no unit within the development hereby approved shall be occupied unless a scheme for the restriction of non-resident access to rear lanes has been submitted to and agreed in writing by the planning authority, and any agreed measures implemented in accordance with the agreed scheme - in order to restrict inappropriate access to rear lanes by non-residents and to 'design out' crime where practicable.

(13) that no development pursuant to this planning permission shall commence unless temporary measures proposed to deal with surface water run-off during construction and prior to the operation of the final SUDS have been put in place in accordance with the approved construction-phase SUDS drawing (ABR\_PID\_125). These measures shall be implemented in full for the duration of works on the site or until the final drainage systems have been brought into operation - in order to prevent potential water pollution.

## **ADVISORY NOTES FOR APPLICANT**

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- It is recommended that no construction or demolition work shall take place:
  - outwith the hours of 7.00 am to 7.00 pm Mondays to Fridays;
  - outwith the hours of 9.00 am to 4.00 pm Saturdays; or
  - 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.

- It is recommended that the applicant contacts ACC's Environmental Health officers in order to agreed the necessary scope of the Noise Impact Assessment (NIA) required by condition 8.