

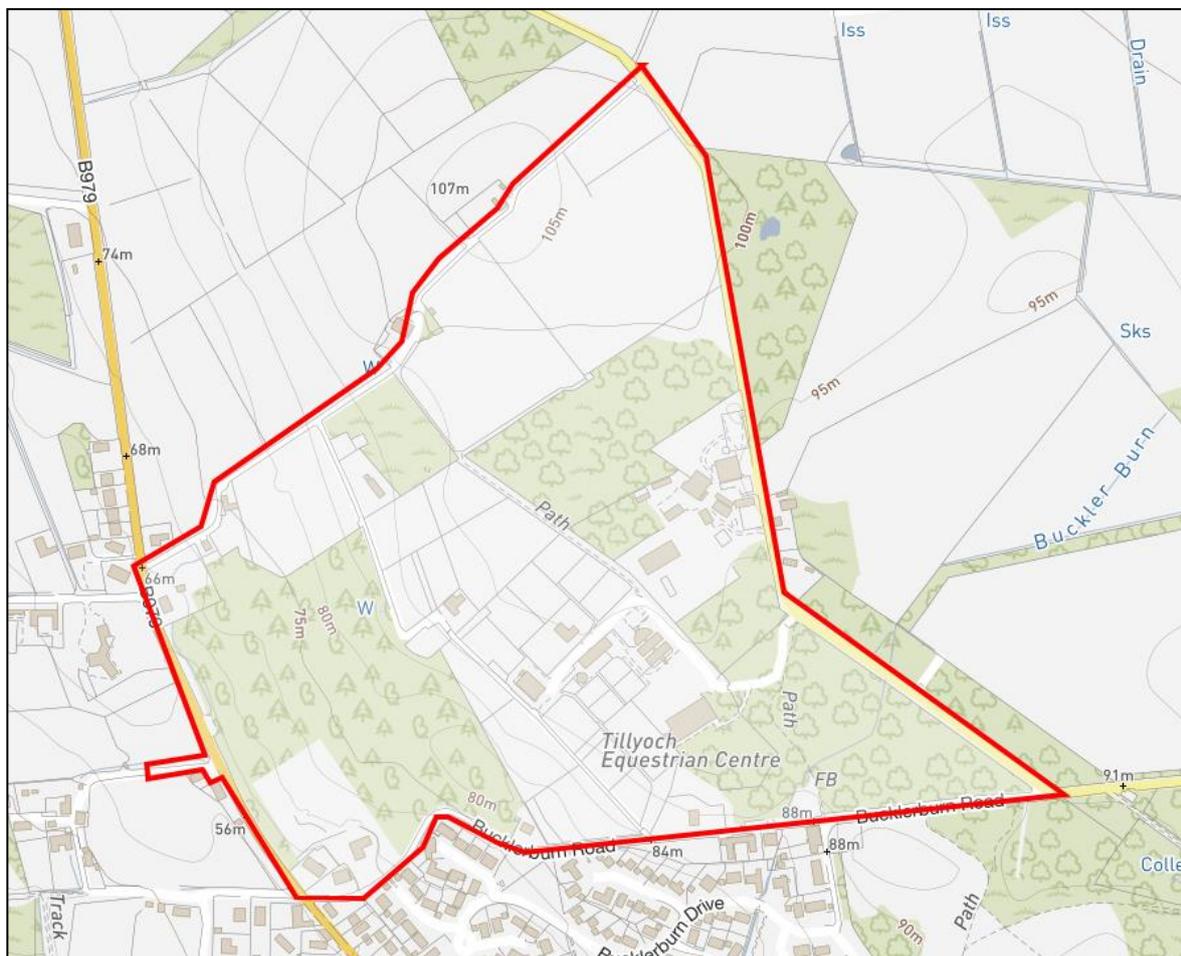


Pre-Application Forum

Report by Development Management Manager

Meeting Date: 30 September 2021

Site Address:	Land At Tillyoch, Peterculter, Aberdeen, AB14 0NS
Description of Proposal:	Major residential development (approximately 250 units) of affordable and private housing with associated infrastructure, open space, landscaping, community facilities and energy centre
Notice Ref:	210936/PAN
Notice Type:	Proposal of Application Notice
Notice Date:	28 June 2021
Applicant:	First Endeavour (Tillyoch) LLP
Ward:	Lower Deeside
Community Council:	Culter
Case Officer:	Aoife Murphy



RECOMMENDATION

It is recommended that the Forum –

- a) note the key issues identified;
- b) if necessary seek clarification on any particular matters; and
- c) identify relevant issues which they would like the applicants to consider and address in any future application.

APPLICATION BACKGROUND

Site Description

The site is located to the west of Aberdeen City, to the north of Peterculter, falling within the City's Green Belt. The site extends to an area of approximately 40Ha and encompasses a large area of agricultural land, woodland currently protected by three Tree Preservation Orders (TPO's), several individual dwellings and their associated curtilages, and the Tillyoch Equestrian Centre. The PoAN boundary also includes two Opportunity Sites, designated in the current Aberdeen Local Development Plan 2017, OP109: Woodend and OP52: Malcolm Road for 19 and 8 homes respectively.

The site is bound by roads on all sides, with Malcolm Road (B979) forming the site's west boundary, Culter House Road to the east and Bucklerburn Road to the south and an unknown road to the north.

While the site is not allocated within the current Aberdeen Local Development Plan, part of it has been identified within the Proposed Aberdeen Local Development Plan 2020, as an Opportunity Site, OP53, as a housing opportunity for 250 houses. It is noted that the extent of OP53 is substantially smaller (15.25Ha) than the red line site boundary provided with the current Proposal of Application Notice.

Relevant Planning History

210936/PAN - Major residential development (approximately 250 units) of affordable and private housing with associated infrastructure, open space, landscaping, community facilities and energy centre. Consultation agreed 13 July 2021.

200009/PAN - Major mixed use development of affordable, council, elderly and accessible housing, home for heroes, care home and relevant community facilities. Consultation agreed 10 February 2020.

APPLICATION DESCRIPTION

Description of Proposal

Proposed is a major development consisting of approximately 250 residential units, both affordable and private, along with associated infrastructure, open space, landscaping, community facilities and an energy centre.

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

National Planning Framework 3 (NPF3)

Scottish Planning Policy (SPP)

Aberdeen City and Shire Strategic Development Plan (2020) (SDP)

Aberdeen Local Development Plan (2017)

Policy NE1 - Green Space Network

Policy NE2 - Green Belt

Policy NE3 - Urban Green Space

Policy D1 - Quality Placemaking by Design

Policy D2 - Landscape

Policy I1 - Infrastructure Delivery and Planning Obligations

Policy T2 - Managing the Transport Impact of Development

Policy T3 - Sustainable and Active Travel

Policy H3 - Density

Policy H4 - Housing Mix

Policy H5 - Affordable Housing

Policy CF2 - New Community Facilities

Policy NE4 - Open Space Provision in New Development

Policy NE5 - Trees and Woodlands

Policy NE6 - Flooding, Drainage and Water Quality

Policy NE8 - Natural Heritage

Policy NE9 - Access and Informal Recreation

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

Landscape

Planning Obligations

Affordable Housing

Transport and Accessibility

Noise

Natural Heritage

Trees and Woodland

Flooding, Drainage and Water Quality

Green Space Network and Open Space

Resources for New Development

Proposed Aberdeen Local Development Plan 2020

Policy NE1 - Greenbelt

Policy NE2 - Green and Blue Infrastructure

Policy NE3 - Our Natural Heritage

Policy NE4 - Our Water Environment

Policy NE5 - Trees and Woodland

Policy D1 - Quality Placemaking

Policy D2 - Amenity

Policy D4 - Landscape

Policy D5 - Landscape Design

Policy R5 - Waste Management Requirements from New Developments

Policy R6 - Low and Zero Carbon Buildings and Water Efficiency

Policy H1 - Residential Areas

Policy H3 - Density

Policy H4 - Housing Mix and Need

Policy H5 - Affordable Housing
Policy CF2 - New Community Facilities
Policy I1 - Infrastructure Delivery and Planning Obligations
Policy T2 - Sustainable Transport
Policy T3 - Parking
Policy CI1 - Digital Infrastructure

The site is identified as OP53 – Tillyoch, Peterculter – Residential and Green Space Network Policy Considerations. Identified as a housing opportunity for 250 houses. Requirements include a Flood Risk Assessment, Habitats Regulations Appraisal and a Construction Environmental Management Plan.

CONSIDERATIONS

Principle of Development

Current Aberdeen Local Development Plan 2017 (ALDP)

Within the current ALDP, the site is designated as Green Space Network and Green Belt and open space, as such the principle of the proposal would need to be assessed against Policy NE1 - Green Space Network and Policy NE2 - Green Belt.

The ALDP advises that Aberdeen's Green Space Network is a strategic network that connects natural green spaces and habitats to each other and the communities around them. Policy NE1 advises that the wildlife, access, recreation, ecosystem services and landscape value of the Green Space Network will be protected, promoted and enhanced, therefore proposals for development that are likely to destroy or erode the character and/or function of the Green Space Network will not be permitted.

Turning to the Green Belt designation, the ALDP states that its aim *"is to maintain the distinct identity of Aberdeen and the communities within and around the city, by defining their physical boundaries clearly. Safeguarding the Green Belt helps to avoid coalescence of settlements and sprawling development on the edge of the city, maintaining Aberdeen's landscape setting and providing access to open space. The Green Belt directs planned growth to the most appropriate locations and supports regeneration."* Policy NE2 only allows development where it is essential for agriculture; woodland and forestry; recreational uses compatible with an agricultural or natural setting; mineral extraction/quarry restoration; or landscape renewal.

Some exceptions do apply, these relate to the following:

1. Proposals for development associated with existing activities in the green belt;
2. Essential Infrastructure;
3. Change of use of buildings with historic or architectural interest or a valuable traditional character;
4. Extensions of existing buildings, as part of a conversion or rehabilitation scheme; and
5. Replacement on a one-for-one basis of existing permanent houses currently in occupation.

The policy also advises that any development in the Green Belt must be of the highest quality in terms of siting, scale, design and materials and regard will need to be paid to other relevant policies of the Local Development Plan in respect of landscape, trees and woodlands and natural heritage and pipelines.

The site also includes the OP52 and OP109 residential allocations. The principle of residential developments on these sites will be subject to Policy H1 which supports new residential development subject to it not constituting over development; not having an unacceptable impact on the character and amenity of the surrounding area; not resulting in the loss of valuable and valued areas of open space; and complies with Supplementary Guidance.

Finally, with regards to the open space designation, part of the site within the redline boundary is identified within the Open Space Audit 2010 as woodland and amenity space related to a business at Woodend.

Proposed Aberdeen Local Development Plan 2020 (PALDP)

A portion of the site is allocated within the PALDP as OP53 – Tillyoch, Peterculter for a housing opportunity for 250 houses. The main policy considerations for this proposed allocation are Policy H1 - Residential Areas and Policy NE2 - Green and Blue Infrastructure, specifically in relation to the Green Space Network.

Policy H1 advises that proposals for new residential development will be approved in principle if it:

1. does not constitute over-development; and
2. does not have an adverse impact to residential amenity and the character and appearance of an area; and
3. does not result in the loss of open space.

In relation to the Green Space Network, the PALDP advises that *“Aberdeen’s Green Space Network is a strategic city-wide network that connects natural green and blue spaces and habitats to each other and the communities around them”*. Policy NE2 states that development proposals should seek to protect, support and enhance the Green Space Network. This broadly encompasses the wildlife, biodiversity, ecosystem services & functions, access, recreation, landscape and townscape value of the Green Space Network. Finally, coherence of the Green Space Network should be maintained when considering any development proposals. Where a development does not achieve this, then it will not be supported.

Given the extent of the redline boundary and the boundary of OP53, it is acknowledged that land designated as the Greenbelt has been included, as such the criteria of Policy NE1 - Greenbelt requires to be considered. This policy is similar to Council’s current policy in that development in areas defined as Green Belt will not be supported unless the proposal:

- a) is directly associated with and required for agriculture, woodland or forestry; or
- b) is for leisure or recreational uses compatible with an agricultural or natural setting; or
- c) is for the extraction of minerals or quarry restoration; or
- d) is associated with existing activities in the Green Belt; or
- e) is directly associated with essential infrastructure; or
- f) is related to the generation of renewable energy and/or heat; or
- g) is for a dwelling house to replace a dwelling house; or
- h) is for the appropriate change of use of a building with a historic or architectural interest; or
- i) is for a conversion/ rehabilitation scheme of a historic building.

Density

Policy H3 - Density, will seek an appropriate density of development on all housing allocations. Densities should have consideration to the site’s characteristics and those of the surrounding area and should create attractive residential environment and safeguard living conditions within the development. Policy H4 - Housing Mix advises that housing development, such as that proposed, will be required to achieve an appropriate mix of sizes, which should reflect the accommodation requirements of specific groups. This mix should include smaller 1- and 2-bedroom units and should be reflected in both the market and affordable housing contributions. This approach helps to create mixed and inclusive communities by offering a choice of housing.

Policy H5 - Affordable Housing advises that housing developments such as this will be required to contribute no less than 25% of the total number of units as affordable housing. The requirement will be determined by the proposed number of residential units, will be outlined in the Council’s Developer Obligations Assessment and secured by a Legal Agreement.

Siting and Design

Issues of siting and design will need to be considered against Policy D1 - Quality Placemaking by Design and Policy D2 - Landscape. Both Policy D1 and Policy NE2 require all development to have high standards of design and have a strong and distinctive sense of place which takes into account the context of the surrounding area and will be required to offer opportunities for connectivity which take in to account the character and scale of the development.

Developments that contribute to placemaking will help sustain and enhance the social, economic, environmental and cultural attractiveness of the city. Proposals will be considered against six essential qualities:

- Distinctive
- Welcoming
- Safe and pleasant
- Easy to move around
- Adaptable
- Resource efficient

Policy D2 - Landscape requires that developments have a strong landscape framework, which *“improves and enhances the setting and visual impact of developments, unifies urban form, provides shelter, creates local identity and promotes biodiversity”*. Any application must be accompanied by a landscape strategy and management plan, incorporating hard and soft landscaping design specifications.

Developer Obligations

Development must be accompanied by the infrastructure, services and facilities required to support new or expanded communities and the scale and type of developments proposed. Where additional demands on community facilities or infrastructure that would necessitate new facilities or exacerbate deficiencies in existing provision, the Council will require the developer to meet or contribute to the cost of providing or improving such infrastructure or facilities. The level of infrastructure requirements and contributions will be outlined by the Council, through the Developer Obligations Assessment and will relate to the development, in line with Policy I1 - Infrastructure Delivery and Planning Obligations and associated guidance.

Transport Impacts

With regards to sustainable and active travel, Policies T2 - Managing the Transport Impact of Development and T3 - Sustainable and Active Travel will be used to assess the development.

Policy T2 requires all new developments demonstrate that sufficient measures have been taken to minimise traffic generated and to maximise opportunities for sustainable and active travel. A Transport Assessment will be required to support the proposal as would a Travel Plan. Parking requirements are also outlined in the Transport and Accessibility Supplementary Guidance.

Policy T3 requires new developments must be accessible by a range of transport modes, with an emphasis on active and sustainable transport. The internal layout of developments must prioritise walking, cycling and public transport penetration. In addition, links between residential, employment, recreation and other facilities must be protected or improved for non-motorised transport users, making it quick, convenient and safe for people to travel by walking and cycling. With regards to this proposal, links to the site should be looked at from the surrounding road networks.

Community Facilities

The application description highlights that community facilities may be included in the proposal. Any new facilities would need to be considered against the criteria of Policy CF2 - New Community Facilities, which outlines that any such proposal should be in locations that are

convenient to the community they serve and are readily accessible, particularly to public transport, pedestrians and cyclists.

Open Space and Accessibility

Policy NE4 - Open Space Provision in New Development requires new developments to accommodate an area of open space within the development site. As per the policy the Council require at least 2.8Ha per 1,000 people of meaningful and useful open space. The Supplementary Guidance on Open Space states that open space standards are based on number of residents within a new development, which can be calculated using the average number of people who live in each dwelling. These figures are outlined in the Supplementary Guidance.

Policy NE9 - Access and Informal Recreation advises that developments should include new or improved provision for public access, permeability and/or links to green space for recreation and active travel. An existing core path, path 86, runs along a portion of Bucklerburn Road to the south west of the site.

Natural Heritage

There is an extensive area of woodland within this site, which is protected by several Tree Protection Orders (TPOs). Policy NE5 - Trees and Woodlands advises that there is a presumption against all activities and development that will result in the loss of, or damage to, trees and woodlands that contribute to nature conservation, landscape character, local amenity or climate change adaptation and mitigation. It is likely that any application would need to be supported by a Tree Survey Report, Arboricultural Impact Assessment and a Tree Protection and Mitigation Plan. Appropriate measures should be taken to ensure the protection and long-term management of existing trees and new planting both during and after construction.

The protection, preservation and enhancement of natural heritage, in terms of both sites and species, are important aims of both the current and Proposed Plans. As such all new development should seek to protect geodiversity and enhance biodiversity, which may include restoring degraded habitats, and must avoid further habitat fragmentation. Therefore, it is likely that as per the requirements of Policy NE8 - Natural Heritage an Ecological Impact Assessment would be required to support the proposal and consider all species, both protected and otherwise.

Additionally, and in order to avoid adverse effects on the qualifying interests of the River Dee SAC, as outlined within the PALDP, a Habitats Regulations Appraisal is required to support the proposal.

Flooding and Drainage

The ALDP aims to manage and reduce flood risk by ensuring that new development does not take place on areas susceptible to flooding and incorporates appropriate and sustainable surface water management measures. As such and as per the wording of OP53 and Policy NE6 - Flooding, Drainage and Water Quality, a Flood Risk Assessment is required to support the development.

Furthermore, a Drainage Impact Assessment (DIA) will also be required to support the proposal. The DIA should detail how surface water and wastewater will be managed. Surface water drainage associated with development must:

1. Be the most appropriate available in terms of SuDS; and
2. Avoid flooding and pollution both during and after construction.

Other Technical Matters

All new developments should have sufficient space for the storage of general waste, recyclable materials and compostable wastes where appropriate. Flatted developments will require communal facilities that allow for the separate storage and collection of these materials. The commercial/retail aspect of the development shall include recycling facilities, where appropriate.

Details of storage facilities and means of collection must be included as part of a planning application for any development which would generate waste as per the requirement of Policy R6 - Waste Management Requirements for New Development.

In terms of low and zero carbon, buildings must meet at least 20% of the building regulations carbon dioxide emissions reduction target applicable at the time of the application through low and zero carbon generating technology. With regards to water efficiency, all new buildings are required to use water saving technologies and techniques. This is a requirement of Policy R7 - Low and Zero Carbon Buildings, and Water Efficiency and details should be submitted with any application or would be requested via condition.

Policy CI1 - Digital Infrastructure requires all new residential and commercial development to have access to modern, up-to-date high-speed communications infrastructure.

Proposed Aberdeen Local Development Plan 2020

Notwithstanding the zoning of the site, the majority of the policies in the Proposed Aberdeen Local Development Plan 2020 substantively reiterate those in the adopted Local Development Plan, apart from Policy D2 - Amenity, which seeks to ensure the provision of an appropriate level of amenity for the development as well as any existing development.

PRE-APPLICATION CONSULTATION

Public consultation was undertaken by the applicant via an online event on Wednesday 18th August 2021, although the public exhibition was available to view from 11th August until 1st September 2021, with comments/feedback requested by 1st September 2021.

Owing to issues with the publicity of the consultation events, a further event for interested parties was held on Wednesday 25th August 2021. The Council were made aware of this issue and welcomed the efforts made by the agent and the applicant to rectify the issue.

NECESSARY INFORMATION TO SUPPORT ANY FUTURE APPLICATION

As part of any application, the applicant has been advised that the following information would need to accompany the formal submission –

- Pre-Application Consultation Report
- Design and Access Statement
- Justification for the loss of green infrastructure / development on Green Belt land
- Drainage Impact Assessment
- Flood Risk Assessment
- Ecological Impact Assessment
- Habitats Regulations Appraisal
- Construction Environmental Management Plan
- Transport Assessment
- Travel Plan
- Tree Survey Report, Arboricultural Impact Assessment and a Tree Protection and Mitigation Plan
- Landscape Scheme and Maintenance Plans
- Low and Zero Carbon Buildings and Water Efficiency Statement
- Affordable Housing Delivery Strategy
- Waste Strategy Plan

RECOMMENDATION

It is recommended that the Forum –

- a) note the key issues identified;
- b) if necessary seek clarification on any particular matters; and
- c) identify relevant issues which they would like the applicants to consider and address in any future application.