

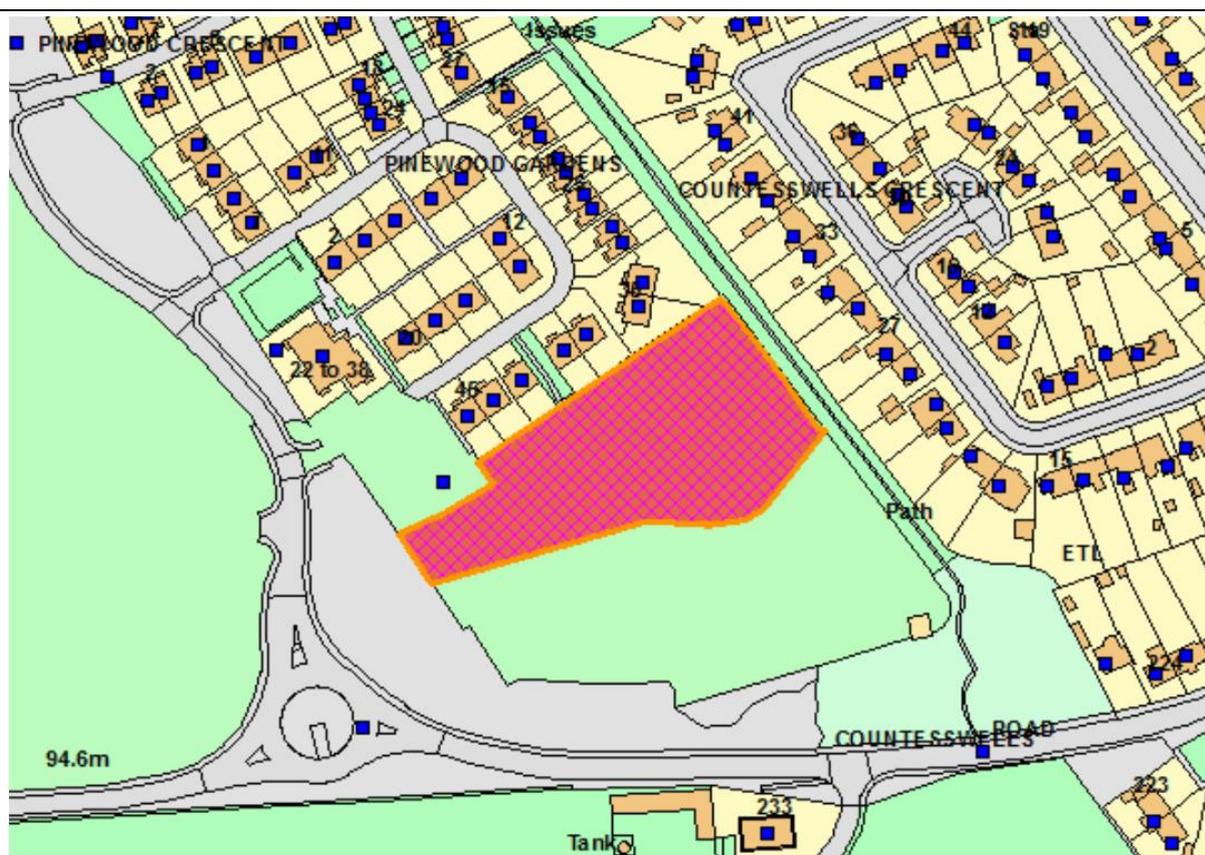


Planning Development Management Committee

Report by Development Management Manager

Committee Date: 3 November 2022

Site Address:	Area F3, Pinewood, Site Adjacent to Countesswells Road, Aberdeen
Application Description:	Erection of 17no houses with associated landscaping, access and infrastructure
Application Ref:	211773/DPP
Application Type	Detailed Planning Permission
Application Date:	16 December 2021
Applicant:	Dandara
Ward:	Hazlehead/Queen's Cross/Countesswells
Community Council:	Craigiebuckler And Seafield
Case Officer:	Gavin Evans



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RECOMMENDATION

Approve Conditionally & Legal Agreement

APPLICATION BACKGROUND

Site Description

The application site extends to 0.6ha and forms part of a wider residential development at Pinewood and Hazledene, two sites which lie between Countesswells Road to the south and Hazledene Road to the north. The current application site sits towards the south-eastern corner of the Pinewood site, the southernmost of the two, and is bounded by a recently constructed Aldi retail store immediately to the south and new houses on Pinewood Gardens to the north. To the east the site is bounded by a belt of existing trees and core path 65, beyond which lie older houses fronting Countesswells Crescent. To the west lie an area of landscaped open space and Countesswells Crescent, which serves as the central spine road running through Pinewood and Hazledene, connecting Countesswells Road with the older section of Countesswells Avenue, which previously ended in a bus terminus.

The adjoining Aldi retail site lies partially under high-voltage overhead power lines, which are of considerable height and are a strong feature in the local topography. The current application site is undeveloped, with the exception of preparatory earthworks and has in recent times been utilised as a construction compound associated with the ongoing residential development.

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
120371	Sales-related advertisements	21.05.12
120952	MSC for Pinewood	10.04.14
130820	MSC for Hazledene Zone H layout	17.12.13
130983	MSC for Hazledene – landscaping, open space, dry-stone walls	09.12.13
130994	MSC for Hazledene Zone A layout	17.12.13
131037	MSC for Hazledene (internal roads & traffic calming)	09.12.13
131044	MSC for Hazledene Zones B+C layout	18.12.13
170243/DPP	Erection of 116 dwellings comprising of 2 apartment blocks, 35 houses and retirement apartment block (Zone F, Pinewood) Erection of 116 dwellings comprising of 2 apartment blocks, 35 houses and retirement apartment block (Zone F, Pinewood)	22.08.18
170525/DPP	Erection of care home and 4 dwellings	06.12.17

180224/PAN	Proposal of Application Notice	02.03.18
182053/DPP	Residential development comprising of 216 units (across zones A, B, C, D and E) with associated access, landscaping and infrastructure	28.08.19
200659/DPP	Erection of Class 1 (shops) retail unit with associated car parking, access, landscaping and associated works	8.12.20
201212/ADV	Signage/advertisements relating to 200659/DPP	16.11.20
200919/DPP	Erection of 4no. dwelling houses with associated landscaping (Zone A)	15.12.20
201593/DPP	Erection of 17 dwelling houses (change of house type at plots BC21-34, BC46-48 as previously approved under A8/0530)	26.1.22

APPLICATION DESCRIPTION

Description of Proposal

This application seeks detailed planning permission for the construction of 17no dwellinghouses in the south-eastern portion of the Pinewood site, directly to the north of the recently consented and constructed Aldi retail store and south of recent housing.

The proposal incorporates various house types, including 1no detached, 6no semi-detached and 10no terraced units within zone F of the wider Pinewood and Hazledene residential development, ranging from 2 to 4 bedrooms and two to three storeys. The proposal, in conjunction with the recent Aldi retail store, effectively replaces the retirement accommodation component (Block C) and a block of 9no mainstream flats (Block B) of an earlier planning consent for Zone F (ref 170243/DPP). All the house types proposed are already found elsewhere in the Pinewood/Hazledene development. These house types utilise the same consistent palette of materials, which includes an off-white render, composite cladding, timber porch posts and timber-effect garage doors, dark grey roof tiles and grey windows. Boundary treatments include masonry walls, beech hedging and 1.8m high timber fencing to private rear gardens.

A range of landscape planting, stone walls and boundary planting are also proposed, principally along the southern boundary.

Amendments

The internal road network has been amended to reduce the extent of reversing required for refuse vehicle access/egress and now incorporates a small parking court to better distribute car parking across the site. Three single storey houses in the southeast corner have been replaced with four terraced units. Two end terraced units have been brought forwards and the landscaped footpath link enhanced.

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=R461XABZIZL00>

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because it has attracted an objection from the local Craigiebuckler and Seafield Community Council, and therefore falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

ACC - Roads Development Management Team – No objection. Notes that the site is accessible by walking and cycling, with existing bus facilities also nearby. The revised site layout includes a pedestrian link to the adjoining supermarket site. On-site car parking provision is satisfactory and the access to the site is also acceptable.

The internal road layout has been revised to reduce the distance refuse vehicles are required to reverse, and includes a turning head for this purpose. Some comments relating to the position of gullies within roads can be addressed through detailed consideration via the Roads Construction Consent (RCC) process. An access road serving an electricity sub-station has been amended per earlier RDM comments to improve visibility.

Given the small number of houses proposed as part of a much larger scheme, there would be no detrimental impact on the local road network.

All residents should be issued within a residential travel pack on first occupation.

An addendum to the site-wide Drainage Impact Assessment sets out the use of the existing SUDS pond, which is considered to be acceptable.

ACC - Developer Obligations – No objection. Notes a requirement for the following obligations to be secured, based on the impact of the development on local infrastructure and LDP Affordable Housing requirements. This represents a 'worst case scenario' in the event that these 17 units are delivered at a point after 350 units across the wider Pinewood/Hazledene development have been completed. Up until that 350 unit threshold is reached, earlier rates would continue to be applied, per existing legal agreements:

Transportation infrastructure

To be advised direct by ACC's Roads Development Management Team.

Core Paths

Nil.

Primary Education

A contribution of £7,905 is payable due to the proposed development taking the school over capacity based on current School Roll Forecasts. This is based on a rate for reconfiguration of existing school space.

Secondary Education

A contribution of £2,635 is payable due to the proposed development taking Hazlehead Academy over capacity based on current School Roll Forecasts. This is based on a rate for reconfiguration of existing school space.

Healthcare Facilities

Contribution of £16,582 required towards the new health centre at Countesswells or such other healthcare facilities serving the development, as existing facilities are currently operating at or over capacity.

Open Space

No mitigation required as the wider Pinewood and Hazledene development incorporates a range of open space areas in accordance with policy NE4 of the ALDP.

Community Facilities

Contribution of £29,622 is required towards Airyhall Community Centre, which has plans to create additional capacity to accommodate additional users as a result of development.

Sports and Recreation

No contribution required.

Affordable Housing

Policy H5 of the ALDP seeks a minimum of 25% of any development of 5 or more dwelling units to be provided as affordable housing. It is recognised that an earlier Zone F consent involved delivery of 5no units off-site at Summerhill Road (now completed and occupied) and phased commuted payments. Whilst a small initial payment was made, a much larger second payment related to the over-55s retirement accommodation component was never triggered as this was not built. The current application for 17no units effectively replaces (along with the now built Aldi store) that retirement accommodation, so affordable housing requirements have been considered afresh. In this instance, the affordable housing requirement equates to 4.25 units. It is noted that a commuted sum was previously agreed for this part of Zone F, alongside off-site affordable housing which has been delivered separately, and it may therefore be appropriate to deliver the affordable housing requirement for these 17 units in a similar manner.

Scottish Water – No objection. The proposed development would be fed from Invercarnie Water Treatment Works and Nigg PFI Waste Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity currently, and suggests that the applicant completes a Pre-Development Enquiry form and submits directly to Scottish Water (this is required for all proposed developments prior to any subsequent formal Technical Application being lodged). There is currently capacity for a foul water connection in the Nigg Waste Water Treatment works, however connection will also require a formal application to Scottish Water.

ACC - Waste and Recycling – Initial objection expressed regarding the road configuration and the facility for refuse vehicles to turn without excessive reversing has now been addressed through repositioning of a turning head to reduce the requirement for reversing.

ACC - Environmental Health – No objection. A Noise Impact Assessment was requested by the Environmental Health service and, following review of the submitted NIA, it was established that the Aldi store would have a low and acceptable impact on the proposed houses. Based on the modelling contained within the report, satisfactory noise levels would be achieved. Advice was also offered to the applicant in terms of hours of site/construction works.

Craigiebuckler And Seafield Community Council – Objects to the application, citing concerns about the lack of screening between the planned houses and the new Aldi store, the impact of store lighting and vehicle headlights shining into adjoining homes, and noise from traffic (including delivery vehicles) entering and exiting the store car park.

REPRESENTATIONS

1 representation has been received in relation to this application. This states objection to the proposal and raises the following points:

- Raises concerns about the ground to the rear of 35 Pinewood Gardens being waterlogged, indicating that there has been an ongoing issue with standing water and contending that the proposals should include provision for land drainage.

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.

Development Plan

Aberdeen City and Shire Strategic Development Plan (2020)

The current Strategic Development Plan for Aberdeen City and Shire was approved by Scottish Ministers in September 2020 and forms the strategic component of the Development Plan. No issues of strategic or cross boundary significance have been identified.

Aberdeen Local Development Plan (2017)

Section 16 (1)(a)(ii) of the Town and Country Planning (Scotland) Act 1997 requires that, where there is a current local development plan, a proposed local development plan must be submitted to Scottish Ministers within 5 years after the date on which the current plan was approved. From 21 January 2022, the extant local development plan will be beyond this 5-year period. The Proposed Aberdeen Local Development Plan 2020 has been submitted to the Planning & Environmental Appeals Division at the Scottish Government in July 2021. The formal examination in public of the Proposed Local Development Plan 2020 has commenced with reporters appointed. Material consideration will be given to the Proposed Local Development Plan 2020, in the context of the progress of its examination, in the assessment of planning applications.

Given the extant local development plan is beyond its five-year review period consideration, where relevant, should be given to paragraph 33 of the Scottish Planning Policy (2014) which states: "Where relevant policies in a development plan are out-of-date or the plan does not contain policies relevant to the proposal, then the presumption in favour of development that contributes to sustainable development will be a significant material consideration.

The following policies are relevant –

H1: Residential Areas

H3: Density

H4: Housing Mix

H5: Affordable Housing

D1: Quality Placemaking by Design

T2: Managing the Transport Impact of Development

T3: Sustainable and Active Travel

R7: Low & Zero Carbon Build & Water Efficiency

I1: Infra Delivery & Planning Obligation

R6: Waste Management Requirements for New Developments

T3: Sustainable and Active Travel

T5: Noise

H5: Affordable Housing

NE5: Trees and Woodland
NE6: Flooding, Drainage & Water Quality
C11: Digital Infrastructure

Supplementary Guidance and Technical Advice Notes

- Transport and Accessibility
- Affordable Housing
- Flooding, Drainage and Water Quality
- Planning Obligations
- Resources for New Development

Proposed Aberdeen Local Development Plan (2020)

The Report of Examination on the Proposed Aberdeen Local Development Plan 2020 (PALDP) was received by the Council on 20 September 2022. The PALDP constitutes the Council's settled view as to the content of the final adopted ALDP and is now a material consideration in the determination of planning applications. The exact weight to be given to matters contained in the PALDP (including individual policies) in relation to specific applications will depend on whether –

- these matters have been subject to comment by the Reporter; and
- the relevance of these matters to the application under consideration.

The foregoing can only be assessed on a case-by-case basis. The following policies are relevant –

- H1 – Residential Areas
- H3 – Density
- H4 – Housing Mix and Need
- H5 – Affordable housing
- D1 – Quality Placemaking
- D2 – Amenity
- WB3 – Noise
- NE5 – Trees and Woodland
- R5 – Waste Management Requirements for New Development
- R6 – Low and Zero Carbon Buildings, and Water Efficiency
- I1 – Infrastructure Delivery and Planning Obligations
- T2 – Sustainable Transport
- T3 – Parking

Other Material Considerations

The earlier grants of planning permission across the Pinewood site, which have been partially implemented and therefore remain capable of implementation on these plots, represent a material consideration in the Planning Service's assessment of the current application.

EVALUATION

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, and the associated grants of planning permission for development of both the Pinewood and Hazledene sites, detailed earlier in this report. In the current ALDP, the site lies within a residentially zoned area, where policy H1 applies. On this basis, it is considered that the principle of residential development is established, and the acceptability of this proposal lies in

consideration of its merits in terms of design, placemaking and other areas of detail. This is explored further below.

Residential Areas (policy H1)

Policy H1 sets out that in areas zoned as H1 on the ALDP proposals map, residential development will be acceptable provided it satisfies a series of criteria set out within policy H1. These are considered in turn below:

Does not constitute overdevelopment

Development of the wider Pinewood/Hazledene site, including consideration for appropriate density and relationship to context, has been established via the earlier grants of planning permission. This application seeks to reconfigure a portion of Zone F at the south-eastern corner of the Pinewood site to provide 17no detached homes in place of the 9no mainstream flats and 63no retirement flats that were previously consented under application 170243/DPP on a wider area incorporating the footprint of the new Aldi store. On that basis, the overall density of development within this area of the wider Pinewood/Hazledene site would reduce as a result of the proposed development and it can reasonably be concluded that the proposal does not represent the over-development of the site.

Does not have an unacceptable impact on the character and amenity of the surrounding area

Taking account of the reduction in units and reduction in the scale of buildings within this small part of the wider Pinewood site, with dwellings of no more than 2.5 storeys replacing flatted blocks of 3 and 4 storeys respectively, it is considered that the proposed development would not result in an unacceptable impact on the character or amenity of the surrounding area. Whilst the proposal initially included bungalows along the southern boundary with the Aldi store, it has since been revised in order to accommodate a more satisfactory road layout to facilitate refuse vehicle access, and this has substituted those bungalows for 2-storey dwellings. This is considered to be acceptable on the basis that there is no privacy or amenity issue arising from the change, with assessment of noise from the neighbouring Aldi store discussed elsewhere within this report.

Does not result in the loss of valuable and valued areas of open space

This proposal relates to a site identified for residential development and subject to live consents which indicate buildings in this location. No existing or planned public open space would be affected by the proposed reconfiguration.

Complies with Supplementary Guidance (SG)

The relevant supplementary guidance documents in this instance would be 'Transport and Accessibility' (in relation to appropriate parking provision and access) and 'Resources for New Development', which encompasses waste and recycling provision, incorporation of water saving technologies and measures to reduce carbon emissions through either energy-efficient construction or the use of low and zero carbon generating technologies (e.g. solar panels, heat pumps etc.). In this case, parking provision is now to be made through a combination of private driveways, garages and a small parking court, enclosed by landscaping to soften its appearance. The inclusion of this parking court allows for the parking to the front of properties on the northern side of the street to be broken up, with greater scope for landscaping and tree planting to reduce the visual impact of a continuous row of vehicles. On-site parking provision and road layout have been reviewed and accepted by ACC's Roads Development Management Team, including provision of satisfactory swept-path details for refuse vehicle access.

The submitted design statement advises that a 'fabric-first' approach of achieving maximum insulative values is to be adopted, however there is also scope for the inclusion of photovoltaic panels on roofs if required. Technical information to demonstrate accordance with ALDP policy R7 (Low and Zero Carbon Buildings and Energy Efficiency) has not been provided, however it is considered that this can be secured through use of an appropriately worded planning condition,

restricting first occupation unless details have been submitted, approved and implemented thereafter.

Design, Architecture and Placemaking

The proposals represent a redesign of this small part of the wider residential development at Pinewood and Hazledene, with a mix of detached, semi-detached and terraced units of no more than 2.5 storeys replacing a 4-storey retirement block and a 3-storey block of flats. As such, the scale and massing of the buildings is much reduced, and is a more consistent continuation of the residential streets to the north. The area of development is bounded to the east by mature trees which offer some visual separation from the more established neighbouring properties on Countesswells Crescent.

The majority of the house types proposed have already featured elsewhere throughout the consented and partially constructed and occupied development. In that regard, there is no fundamental shift in the overall design approach, and the approach to street design and materials palette remains consistent, utilising off-white render, composite cladding and grey roof slates alongside grey window frames, timber-effect garage doors and timber porch posts. These changes to building form and reduction in density are not significant, do not undermine the design approach established through the earlier permissions and effectively lessen the potential for visual impact or impact on residential amenity to neighbouring properties. Entrance to the site is well-defined, through the use of landscaped open space and use of garden walls with masonry pillars to add distinct character to this part of the wider development. Accessibility to and through the site is provided for, with a footpath from the north, bordered by soft landscaping, incorporated within the layout and offering convenient onward connection to the Aldi retail store to the south. At the eastern end of the street a connection would be made to the adjoining core path route.

Plots are of an appropriate size relative to house types, and consistent with the wider development, with minimum garden depths achieved. On this basis, it is considered that the proposal demonstrates due regard for its context, consistent with policy D1 (Quality Placemaking by Design) of the ALDP. Similarly, the overall density of the Pinewood/Hazledene development would be reduced, but with no overall adverse effect in terms of achieving an appropriate density, consistent with policy H3 (Density). The overall mix of house types delivered through the development as a whole remains satisfactory, incorporating both houses and flats of varying sizes. The proposal is therefore considered to accord with policy H4 (Housing Mix) of the ALDP.

Trees and Landscaping

A tree survey has been provided in support of the application, identifying dense belts of mature trees adjacent to the eastern and western boundaries of the site. A total of 45 trees were surveyed, with the eastern tree belt (lying outwith the application site) principally consisting of mature beech trees and the western tree belt including semi-mature Norway maple and sycamore. No trees are identified for removal to facilitate the proposed development. There is some minor incursion into root protection areas (RPAs) of two trees on the eastern belt, however as it affects less than 5% of the RPA this is not of significance and would not adversely affect the long-term health of these trees. The RPA of two existing trees would be encroached upon by road construction, which has potential to damage roots and is likely to affect their long-term health. Overall, the impact on existing trees is not excessive, and measures for the protection of trees during construction work have been identified, with tree protection barriers to be erected to prevent harm to trees during construction. There will be some requirement for scaffolds to be erected within tree protection areas, however the impact arising from this is considered to be minimal.

On balance, it is considered that a very small proportion of the trees in and around the site would be adversely affected by the proposed development, and the extent of that impact is limited to essential works required to facilitate access to the site. No direct tree removal is required, and impacts are considered to be avoided wherever possible.

The proposal involves new tree planting throughout, with 24 new specimens planted, including Rowan, Sorbus, Cherry and various fruit trees. Planting is concentrated on the entry to the site, the boundary with the adjoining Aldi site and the path connection to neighbouring residential streets, to the north. There are also several trees shown within front gardens, which will assist with softening the appearance of in-curtilage car parking. Hedging is also indicated at various points, including around the parking court and along boundaries and interfaces with the public path route. It is considered that the proposed planting schedule will assist in integrating the development with the surrounding landscape character in the longer-term and overall, the proposal is considered to satisfy the requirements of policy NE5 (Trees and Woodlands) of the ALDP by avoiding tree losses and minimising impact on root systems during construction.

Transport and Accessibility

The proposed development involves an alternative internal road layout compared to the previously consented scheme for Zone F, however this has been reviewed by RDM colleagues and found to be satisfactory. Details of vehicle swept paths have been provided and it is noted that detailed roads design will be further controlled via the Roads Construction Consent process. On that basis the proposed layout is considered to be acceptable, making appropriate provision for pedestrian through routes, car parking and refuse access/turning. As the proposals represent a reduction in total residential units from the previously consented scheme, which was itself assessed as being acceptable, it is considered that there would be no detrimental impact on the local road network. Sustainable travel options in the local area have been identified through the granting of earlier permissions and, consistent with earlier consents, a condition can be applied to ensure that all residents are issued with a Residential Travel pack to advise of sustainable travel choices on first occupation. It is noted that the public bus service now runs along Countesswells Avenue, through the development. It is considered that the proposal demonstrates its accordance with policies T2 (Managing the Transport Impact of Development) and T3 (Sustainable and Active Travel).

Drainage and Flood Risk

The applicants have submitted an addendum to the earlier Drainage Statement covering development within Zone F. This report outlines a surface water drainage proposal for the wider Pinewood and Hazledene development, which involves two drainage networks collecting surface water run-off from the site and directing it towards two detention ponds, located northeast of Zone A and northeast of Zone H respectively. The proposal at Zone F3 would connect into the existing sewer network serving the existing housing to the north. All surface water sewers and the detention ponds described have been designed to have capacity to accommodate flows from the proposed development inclusive of Zone F3, consistent with the overarching SUDS principle of runoff from a site post-development being no greater than 'greenfield' flows present before development took place. This approach is consistent with earlier phases of the development, and ensures satisfactory drainage infrastructure is in place to support the development, consistent with ALDP policy NE6.

It is a stipulation of policy NE6 (Flooding, Drainage and Water Quality) that connection to the public sewer in sewered areas will be pre-requisite, so in order to ensure compliance with policy NE6 it is appropriate to use a planning condition to prohibit occupation of dwellings unless a connection has been made to the public sewer.

Potential Noise Impact

The presence of the Aldi retail store and its associated plant and delivery operations to the north and east of the unit represents a potential source of noise affecting residential amenity. A Noise Impact Assessment has been provided as part of the supporting documentation accompanying the application. This looks at these noise sources and their associated noise levels and concludes that the impact of the adjoining supermarket would be low and would not prevent a satisfactory residential environment being achieved, particularly in considering rear private garden areas of the

proposed plots in the south-east part of the application site. The submitted report has been reviewed by ACC's Environmental Health service, which accepts its conclusions and states no objection to the proposed development. Based on this assessment, officers are satisfied that the proposal will not be adversely affected as a result of existing noise sources, and the proposal is considered to accord with the provisions of policy T5 (Noise) of the ALDP.

Environmental Health colleagues have offered advice in relation to hours of construction in order to protect residential amenity. As statutory noise nuisance is covered by Environmental Health legislation, it would not be appropriate for the planning authority to apply a condition, however these recommendations can be added to any decision notice as an informative note for the applicant's attention.

Affordable Housing and Developer Obligations

Policy H5 (Affordable Housing) of the ALDP requires that housing developments of five or more units contribute no less than 25% of the total number of units as affordable housing. A Developer Obligations assessment has been undertaken, highlighting that both off-site affordable housing provision and payment of a commuted sum of £17,325 have already been delivered and paid respectively in connection with an earlier planning permission at Pinewood Zone F which has only been partially implemented (ref. 170243/DPP). A further commuted sum payable in respect of the over-55s retirement accommodation portion of that Zone F consent was not triggered as that was not built and is effectively replaced by the combination of the recently authorised Aldi retail store and the 17no units that are the subject of this application. As a result, affordable housing requirements remain applicable and for a proposal of 17 units this equates to 4.25 affordable units at the contemporary 25% rate. Previous arrangements for off-site delivery of affordable housing in connection with the original 350 units approved at the PPP stage are noted, and it is accepted that these arrangements will remain in effect up to that 350-unit threshold. If that threshold has been reached at the point these 17 units are to be constructed, then the contemporary rates set out in the Developer Obligations assessment report will be applied.

Policy I1 (Infrastructure Delivery and Planning Obligations) 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 Council's Developer Obligations team has assessed this proposal at contemporary rates on the basis of 17 units. The detail of the relevant obligations is summarised in the 'Consultations' section of this report. Financial contributions are identified towards Primary and Secondary Education, Healthcare Facilities and Community Facilities. As noted in the Affordable Housing discussion above, it is recognised that there are existing agreements in place in connection with the 350 units originally approved at Pinewood and Hazledene. It is intended that the current application would be linked to the other legal agreements and associated obligations covering the wider site, and the developer obligations monies set out in the current assessment report would only be payable if these 17 units were built after that 350 unit threshold had been reached. This is consistent with the approach taken to other 'remix' applications within the Pinewood and Hazledene development and is considered to be fair and reasonable. By utilising a planning obligation to secure these contributions, compliance with policy I1 of the ALDP and its associated 'Planning Obligations' SG can be ensured, and the impacts of the development can be offset.

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. Swept-path drawings have been provided as part of the application to demonstrate that the roads layout is navigable by large refuse vehicles and allows access, with the layout having been revised in order to reduce the extent of reversing manoeuvres. In this regard dwellings will present bins at

kerbside for collection, as required 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.

Carbon Emissions and Water Efficiency

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 submitted Design and Access Statement indicates that the dwellings would be designed to achieve maximum insulative values in excess of current building standards and there is an 'allowance' for photovoltaic panels on the roofs of the dwellings. Further details will be required to evidence compliance with policy R7 and the associated 'Resources for New Development' Supplementary Guidance. Similarly, further details of the inclusion of water saving measures will also be required, and it is considered that this information can be secured through the use of planning conditions in order to comply with the requirements of the Development Plan.

Matters Raised in Representations

It is noted that the objection received cites concerns about site drainage to the rear of the respondent's property. This area has previously acted as a site compound for the storage of building materials. Its redevelopment, landscaping and connection to the wider surface water drainage network will ensure that the site is served by appropriate drainage infrastructure.

Matters Raised in Community Council Response

The relationship between the proposed residential development the adjoining Aldi supermarket is considered to be acceptable. Whilst the supermarket is a much larger building, each residential plot affords appropriate private garden area and there is no loss of amenity through overshadowing, loss of daylight or loss of privacy. New landscaping will assist with softening the southern boundary of the development and potential noise impacts have been discussed earlier within this report and found to be negligible. It is not considered that there is any adverse impact likely from vehicle headlights within the Aldi car park due to the siting of the store itself, the distance separating the car park from new homes and the walls, fences and landscaping present on the intervening ground.

Proposed Aberdeen Local Development Plan

In relation to this particular application, the policies in the Proposed Aberdeen Local Development Plan 2020 (ALDP) substantively reiterate those in the adopted Local Development Plan and the proposal is acceptable in terms of both Plans for the reasons previously given.

Heads of Terms of any Legal Agreement

A legal agreement will be required in order to link this permission to pre-existing legal agreements for the wider development at Pinewood and Hazledene, secure the financial contributions identified by ACC's Developer Obligations Team and delivery of affordable housing, with contemporary rates (as outlined in the Developer Obligations Assessment Report) applicable if this permission is implemented after the completion of 350 units on the wider development. Should members be minded to approve this application, the conclusion of an appropriate legal agreement would be delegated to officers, working in conjunction with colleagues from ACC Legal Services.

Time Limit Direction

Not necessary in this instance. Standard duration of consent is appropriate.

RECOMMENDATION

Approve Conditionally & Legal Agreement

REASON FOR RECOMMENDATION

The principle of residential development on this site is well-established through its identification in earlier local development plans and subsequent granting of planning permission. These proposals involve a reduction in density and building height and massing, and therefore do not result in an intensification of any impacts when compared with the previously consented development. The proposed dwellings are consistent with the design and styling of consented and built parts of the wider residential development. Potential noise and arboricultural impacts have been assessed and found to present no obstacle to the provision of a satisfactory residential environment. Satisfactory foul and surface water drainage information has been provided. The proposed dwellings would be served by appropriate off-street car parking and matters relating to carbon reduction and water efficiency can be addressed by securing the submission of further details through the use of planning conditions. It is considered that the proposed development would accord with the relevant provisions of the Development Plan, including policies H1 (Residential Areas), H3 (Density), H4 (Housing Mix), H5 (Affordable Housing), D1 (Quality Placemaking by Design), T5 (Noise), NE5 (Trees and Woodlands) and NE6 (Flooding, Drainage and Water Quality), and no material considerations have been identified that would warrant determination otherwise.

CONDITIONS

1. Car Parking

That the dwellings hereby approved shall not be occupied unless the approved areas of car parking have been constructed, drained, laid-out and demarcated in accordance with drawing No. F3_APL_100 – Rev K 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.

Reason: in the interests of public safety and the free flow of traffic, and to ensure compliance with policy T2 (Managing the Transport Impact of Development) of the Aberdeen Local Development Plan and the associated 'Transport and Accessibility' Supplementary Guidance.

2. Connection to Public Sewer

That the dwellings hereby approved shall not be brought into use unless connection has been made to the public sewer system.

Reason: In order to ensure compliance with policy NE6 (Flooding, Drainage and Water Quality) of the Aberdeen Local Development Plan, which does not permit connection to private wastewater systems in sewered areas.

3. Tree Protection

No development shall take place other than in accordance with the approved scheme of tree protection (Struan Dalgleish *'Tree Survey Report, Arboricultural Impact Assessment and Tree Protection Plan*, dated December 2021) or such other Tree Protection Plan as has been submitted to and approved by the planning authority prior to commencement of development.

Reason: In order to secure adequate protection for all trees to be retained on the site during construction works and to ensure compliance with Policy NE5 (Trees and Woodlands) of the Aberdeen Local Development Plan.

4. Landscaping Works

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.

Reason: In order to ensure that the approved landscaping works are carried out at an appropriate time and to offset the impact of tree losses necessary for development to occur.

5. Further Arboricultural Works

Any tree work not specified in the submitted Struan Dalgleish *'Tree Survey Report, Arboricultural Impact Assessment and Tree Protection Plan'*, dated December 2021, 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.

Reason: In order to ensure that existing trees are appropriately retained and protected where practicable.

6. Boundary Enclosures

That no dwelling within the development hereby approved shall be occupied unless the boundary treatments shown on drawing F3_APL_30 – Rev D have been delivered in full accordance with that plan, or any such substitute as has been submitted to and approved in writing by the planning authority for that purpose.

Reason: To ensure that boundary enclosures of an appropriate design, scale and materials to the local context are provided prior to first occupation, and to ensure compliance with policy D1 (Quality Placemaking by Design) of the Aberdeen Local Development Plan.

7. Carbon Reduction and Water Efficiency

No dwelling hereby granted planning permission shall be occupied unless an Energy Statement and Water Efficiency Statement applicable to that building has been submitted to and approved in writing by the planning authority, and thereafter any measures agreed within that submission have been implemented in full.

Reason: to ensure this development complies with the on-site carbon reductions required in Scottish Planning Policy and Policy R7 of the Aberdeen Local Development Plan 2017.

8. Residential Travel Pack

That no residential unit within the development shall be occupied unless the approved Residential Travel Pack (or such other RTP as has been submitted to and approved in writing by the planning authority for this purpose) has been submitted to and approved in writing by the Planning Authority, and thereafter provided to residents on first occupation.

Reason: to be consistent with the requirements of Scottish Planning Policy (SPP) and PAN 75 Planning for Transport – in the interests of reducing travel by private car.

ADVISORY NOTES FOR APPLICANT

To protect the amenity of the occupants of existing nearby residential properties, it is recommended that any development works at the proposed development (including site/ground preparation, demolition, and construction) causing noise beyond the site boundary should not occur outside the following hours:

- Monday to Friday 0700 hours to 1900 hours
- Saturday 0800 hours to 1300 hours