

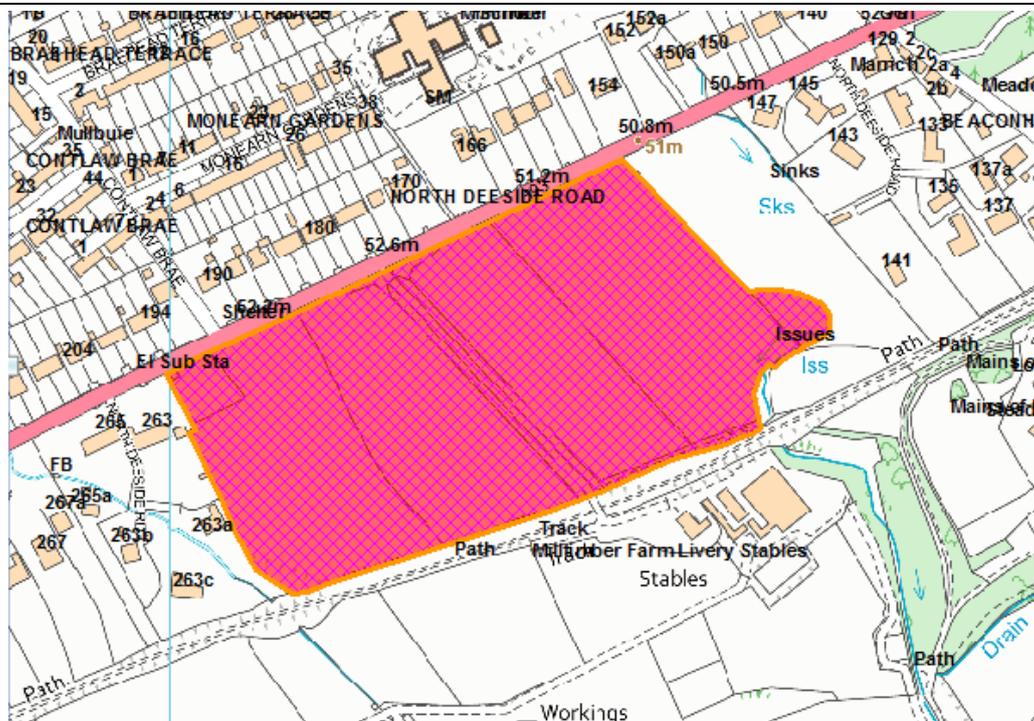


Planning Development Management Committee

Report by Development Management Manager

Committee Date: 3rd November 2022

Site Address:	Land South of North Deeside Road, Milltimber, Aberdeen, AB13 0HJ
Application Description:	Approval of matters specified in conditions: 1 (Design); 2 (Access Junction); 5 (Landscaping); 6 (Trees); 8 (Construction Environment Management Plan); 9 (Air Quality/Dust); 11 (Noise Impact Assessment); 12 (Low/ Zero Carbon Technologies Statement); 13 (Watercourse) ,14 (Watercourse, SEPA); 15 (Green Measures); 16 (Bird Hazard Management Plan); 17 (Archaeology); 18 (Badger Survey), 19 (Surface Water), 20 (Scottish Water); 21 (Residential Travel Pack) for erection of 75 residential units in connection with planning permission in principle ref. 200535/PPP
Application Ref:	220865/MSC
Application Type	Approval of Matters Specified in Conditions
Application Date:	7 July 2022
Applicant:	Bancon Homes
Ward:	Lower Deeside
Community Council:	Cults, Bieldside and Milltimber
Case Officer:	Gavin Clark



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RECOMMENDATION

Approve Conditionally

APPLICATION BACKGROUND

Site Description

The application site, which extends to approximately 9.1 hectares, is located on the southern side of North Deeside Road, on the southern edge of the settlement of Milltimber. The site is bound by North Deeside Road and residential properties to the north, the Deeside Way, a small former quarry, Milltimber Farm Livery Stables and open space to the south, and further residential properties set in generous plots further to the east and west. An access road leading to Milltimber Farm Livery Stables (located to the south of the Deeside Way) runs through the site.

The site itself is largely grassed pasture in equestrian use but includes some planting, particularly along the boundaries and central access road. The site slopes down from north to south towards the Dee Valley. There are several boundary treatments, including post-and-wire fencing and drystone dykes to the northern boundary.

The application site is allocated as 'OP114 Milltimber South' in the Aberdeen Local Development Plan 2017 as a 'Mixed-Use Opportunity for 60 houses and 1,225 square metres of ancillary office/retail space' with Planning Permission in Principle (PPiP) having been granted for a mixed-use development as described below.

Relevant Planning History

Planning permission in principle (Ref: 200535/PPP) for 'the construction of residential led mixed use development of up to 99 residential units and retail of up to 2,000 sqm, with associated infrastructure, access, landscaping, drainage, SUDS and open space' was refused by the Planning Development Management Committee in November 2020. This refusal was subsequently appealed to the Planning and Environmental Appeals Division of the Scottish Government, where the appeal was allowed, following the conclusion of a legal agreement in December 2021. The grant of PPP included various conditions which are the subject of the current approval of matters specified in condition application in respect of a proposed residential development of 75 houses on the majority of the OP114 site (9.1ha of 11ha of the PPiP site boundary). Conditions 3 and 4 on the PPP restrict the level of residential development to a maximum of 80 units and 1,225 sqm of retail space respectively within the overall development site.

A Proposal of Application Notice (Ref: 191605/PAN) was submitted on the 21st October 2019 for a 'major residential and retail development with associated infrastructure, access, landscaping, drainage, SUDS and open space.' This proposal was presented to the Council's Pre-Application Forum on the 5th December 2019.

A previous Proposal of Application Notice (Ref: 170620/PAN) was submitted in May 2017 for a proposed mix-use development (60 dwellings and 1,225 sqm of Class 1 (Shops) and Class 4 (Business) uses relating to the same site. This proposal was presented to the Pre-Application Forum on the 21st September 2017.

An EIA screening opinion for the above proposal (Ref: 171171/ESC) was submitted in September 2017; this concluded that an Environmental Impact Assessment was not required, as confirmed on the 18th October 2017.

APPLICATION DESCRIPTION

Description of Proposal

Approval is sought for details associated to conditions: 1 (Design); 2 (Access Junction); 5 (Landscaping); 6 (Trees); 8 (Construction Environmental Management Plan); 9 (Air Quality/Dust); 11 (Noise Impact Assessment); 12 (Low Zero Carbon Technology Statement); 13

(Watercourse), 14 (Watercourse, SEPA); 15 (Green Measures); 16 (Bird Hazard Management Plan); 17 (Archaeology); 18 (Badger Survey / Protection), 19 (Surface Water), 20 (Waste Water); 21 (Residential Travel Pack) of Planning Permission in Principle 200535/PPP.

The application proposes a total of 75 residential units on a site which extends to approximately 9.1 hectares. The layout would predominantly be made up of detached dwellings but would include some terraced and flatted properties in the north-east corner of the site. The proposals include the formation of two vehicular accesses on to North Deeside Road and a number of footpath connections throughout the site, extensive areas of landscaping, and a SUDS basin (in the south-east corner of the site). Two pedestrian / cycle connections to the Deeside Way, which lies adjacent to the southern application site boundary. Further footpath connections to North Deeside Road to the north are proposed. The housing will be set back from North Deeside Road with a landscaped area containing the access roads and footpath network covering a significant portion of the northern section of the site, ranging from 45-60m as you head west to east, although this lessens to 25m in the eastern most section of the site.

The general layout will be discussed in greater detail in the evaluation section of this report.

Amendments

The proposals have been amended since the original submission. This has included some amendment to the layout and design of a number of the dwellings (including the inclusion of additional renders), alterations to a number of the boundary treatments, the inclusion of additional landscaping, further clarification on the drainage and routes through the site and other minor alterations to the layout to address concerns raised by consultees. These will be discussed in greater detail in the evaluation section of this report.

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=RENAHZBZHMG00>

- Noise Impact Assessment
- Construction Environment Management Plan
- Bird Hazard Management Plan
- Badger Survey and Protection Plan
- Drainage Assessment
- Air Quality Assessment
- Written Scheme of Investigation (Archaeology)
- Tree Protection Plan
- Residential Travel Pack
- Low and Zero Carbon Technology and Water Statement
- Housing Mix Statement
- Transport Assessment

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because the proposal has been subject to more than 6 timeous letters of objection (26 letters of objection in total), and an objection has also been received from Cults, Bielside and Milltimber Community Council. Subsequently, the scheme falls outwith the Council's adopted Scheme of Delegation.

CONSULTATIONS

ACC - Roads Development Management Team – No objection to the proposed development following the submission of amended plans. Their response in terms of the conditions applied for will be discussed in greater detail in the evaluation section of this report.

ACC - Environmental Health – no objection to the proposed development following the submission of revised documents. Their response will be discussed in greater detail in the evaluation section of this report.

NatureScot (formerly Scottish Natural Heritage) – no comments.

Scottish Water – no objection to the development, providing general guidance on the proposed development. Their response will be discussed in greater detail in the evaluation section of this report.

Aberdeen International Airport – consider the findings of the Bird Hazard Management Plan to be acceptable and have no objection to the proposed development as a result. The proposal has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria. They therefore have no objection to this proposal.

Scottish Environment Protection Agency – have no objection to the proposals following the submission of further information in relation to the SUDS basin and the green/ blue infrastructure proposed within the development.

Dee District Salmon Fishery Board – have received the application and concluded that there would not appear to be any potential for a significant impact upon the River Dee SAC or watercourses which it made up, in relation to the proposed development. They have requested that the developer adheres to SEPA's pollution prevention guidelines should the application be successful and have confirmed that they have no further comment to make on the application at this time.

ACC - Structures, Flooding and Coastal Engineering – have no objection to the proposals following the submission of amended plans and additional information.

ACC - Housing – no objection.

ACC - Waste and Recycling – have no objection to the proposals following the submission of amended plans.

Archaeology Service (Aberdeenshire Council) – have confirmed that the document meets the initial requirements of the condition and as a result the works can proceed as proposed. They have requested a partial discharge of the condition to allow works to proceed in accordance with the WSI and that full discharge of the condition will come upon completion of the on-site mitigation and a Post-Excavation Research Design is agreed, should there be a requirement for one.

ACC - Schools Estates Team – have noted that there is no change to the application in respect of the number of housing units from the PPIP stage and as a result they have no objection to the application.

Cults, Bielside and Milltimber Community Council – object to the application. They have advised that their principal reason for objection is that they cannot fully evaluate the proposals until such a time as proposals is put forward for the whole site and that the Council should not

determine an application for this site until the Local Development Plan Report of Examination has been received and the ALDP 2022 has been adopted.

They have also made the following comments, which they would wish to be addressed:

1. Connections to the Deeside Way – concerns about these being open during development and would prefer it to be installed once adjacent dwellings are complete.
2. Concerns about the western connection to the DDA and whether this should be made DDA compliant.
3. No wildlife appraisal has been submitted for the application site, this should be submitted and reviewed.
4. Concerns about the impact of the development on 263a North Deeside Road, particularly in terms of overlooking.
5. Concerns about the creation of soil bunds and need to ensure that the Construction Environment Management Plan mitigates against this. Also require further clarification on vehicle movements on to North Deeside Road.
6. Requested further details on boundary treatments to north and southern boundaries, as well as clarification on how the play equipment adjacent to North Deeside Road would be utilised.

REPRESENTATIONS

A total of 26 objections were received in relation to this application. The issues raised are summarised as follows:

Principle of Development

1. The development site should be assessed as a whole and should be restricted to the levels of the allocation.
2. The proposal should ensure that there is no adverse impact on the character or amenity of the surrounding area.
3. The application should not be determined until the Report of Examination is received and the ALDP2022 is adopted.
4. There should be no development on site.
5. Concerns about development on the adjacent site to the east.
6. The loss of Green Belt.
7. The need for further housing in Milltimber.
8. The lack of amenities within the site and the surrounding area.

Layout, Siting and Design & Impact on Amenity

9. Layout, siting, and design of the development.
10. The location of the play equipment and lack of community facilities on site.
11. Screening along North Deeside Road should be appropriate for the area.
12. Impact on the character and amenity of the surrounding area.
13. The location of the affordable housing and the impact that this would have on the surrounding area.
14. Require further details on boundary treatments.
15. Western footpath connection to Deeside Way should be step free
16. Concerns about proposed gas – combi boilers.
17. Impact on neighbouring properties, in particular 263a North Deeside Road.
18. The levels difference to properties in the south-west corner of the site.

Transportation, Drainage and Flooding

19. Impact on road network and safety of users
20. Concerns for pedestrians, cyclists, and motor vehicles for existing residents of properties on the southern side of North Deeside Road.
21. Concerns regarding number of entrance points to North Deeside Road.
22. Impact of new junction on cyclists.
23. Concerns regarding content of residential travel pack.
24. Additional impact on the existing road network.
25. The proposal does not encourage the use of public transport.
26. Concerns regarding safe route to school.
27. Require further clarification on the drainage mitigation/ disturbance proposals.
28. Potential for flooding on the development site.
29. The watercourse in the south-west corner of the site has not been considered.
30. Water run-off from the west of the development is likely to flow into the waterway to the west

Noise, Air Quality and Construction

31. Health and safety during construction.
32. Concerns with the content of the Construction Environment Management Plan.
33. Vibration from construction and impact on neighbouring properties.
34. Impact from soil bunds on properties along North Deeside Road.
35. CEMP should specify control measures for construction vehicles entering and exiting the site.
36. Concerns regarding content of the NIA.
37. Impact of dust on existing streams.
38. Working hours.
39. Length of construction period.

Natural Environment

40. Tree Loss
41. Lack of ecological surveys
42. Request additional tree planting on boundaries of site.

Non-Material Considerations

43. Value of properties.
44. Loss of view.

The above points (43 and 44) are not material planning considerations and have therefore not been considered further in the assessment of this application.

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 –

- LR1: Land Release Policy
- OP114: Milltimber South
- D1: Quality Placemaking by Design
- D2: Landscape
- D4: Historic Environment
- I1: Infrastructure Delivery and Developer Obligations
- T2: Managing the Transport Impact of Development
- T3: Sustainable and Active Travel
- T4: Air Quality
- T5: Noise
- H2: Mixed Use Areas
- H3: Density
- H4: Housing Mix
- H5: Affordable Housing
- NE4: Open Space Provision in New Development
- NE5: Trees and Woodlands
- NE6: Flooding, Drainage and Water Quality
- NE8: Natural Heritage
- NE9: Access and Informal Recreation
- B4: Aberdeen Airport
- R6: Waste Management Requirements for New Development
- R7: Low and Zero Carbon Buildings, and Water Efficiency
- CI1: Digital Infrastructure

Supplementary Guidance (SG)

- Landscape
- Planning Obligations
- Affordable Housing
- Transport and Accessibility
- Air Quality
- Noise
- Natural Heritage
- Trees and Woodlands
- Flooding, Drainage and Water Quality
- Green Space Network and Open Space
- 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.

Regarding the current application, the site is allocated as OP114 (Milltimber South) in the adopted Aberdeen Local Development Plan 2017. At the Full Council meeting on 2nd March 2020, it was agreed to remove the site from the Proposed ALDP 2020 and re-designate the land as Green Belt and Green and Blue Infrastructure (currently known as Green Space Network). The Proposed LDP thereafter underwent a period of public consultation that ended on 31st August 2020. The DPEA Reporters considered the site, its allocation, proposed de-allocation and public comments through the Proposed LDP Examination process. Subsequent to this, the Reporters' Report of Examination, published in September 2022, includes the OP114 site as an allocation in the next ALDP 2022, anticipated to be adopted later this year. The site therefore remains allocated for a mixed-use development of an indicative allocation of 60 houses and 1,225 sqm of commercial use in the forthcoming ALDP 2022.

The following PALDP policies are of relevance to the determination of this application: OP114: Milltimber South, WB2: Air Quality, WB3: Noise, NE3: Our Natural Heritage, NE4: Our Water Environment, NE5: Trees and Woodland, D1: Quality Placemaking, D2: Amenity, D4: Landscape, D5: Landscape Design, R5: Waste Management Requirements for New Development, R6: Low and Zero Carbon Buildings, and Water Efficiency, H3: Density, H4: Housing Mix and Need, H5: Affordable Housing, I1: Infrastructure Delivery and Developer Obligations, T2: Sustainable Transport, T3: Parking and CI1: Digital Infrastructure.

EVALUATION

Principle of Development

In the ALDP 2017, the application site forms part of the mixed-use allocation as OP114 Milltimber South, allowing 60 homes and up to 1,225 square metres of ancillary retail/office space. Following the appeal of an earlier refusal, Planning Permission in Principle (Ref: 200535/PPP) was granted by Scottish Ministers in December 2021 for residential and commercial development. This included conditions on the consent restricting the level of residential units to 80 and commercial floorspace to 1,225 sqm. A masterplan was also submitted and agreed for the site as part of the PPP. The current proposals relate to the first 75 residential units of both the LDP allocation (extant 2017 ALDP and forthcoming ALDP 2023) and Planning Permission in Principle 200535/PPP. It is

noted that the current MSC application relates to 9.1ha of the 11ha of OP114 and 200535/PPP, excluding the eastern part of the site. The principle of development can therefore be supported, subject to compliance with other policies of the ALDP.

The approved masterplan looked at various aspects including an analysis of the site, design principles, resources, and delivery. The general layout as submitted is considered to be consistent with the information contained within the masterplan and it is considered that the development generally complies with its aims and aspirations. This document included a development set back from North Deeside Road, with open views retained to the south, footpath connections through the site and onto the Deeside Way, two access points on to North Deeside Road and north-south green corridors running through the development site, all of which are proposed within the submitted plans.

The current application seeks the discharge of 16 suspensive conditions on PPP 200535 that would allow the development of 75 houses on the majority of the site; the details of which are discussed in greater detail in the below evaluation.

Condition 1 - Design

The first part of this condition required the submission of a detailed levels survey of the site and cross sections showing proposed finished ground and floor levels of all buildings relative to existing ground levels and a fixed datum point.

In support of the proposals, the applicants have submitted various drawings and details. These have included cross-sections running through the site from north-to-south, along the western boundary as well as running along the northern edge of the site and along the southern boundary of the site to the Deeside Way.

A cut and fill plan has also been submitted, which shows that the majority of the developed area of the site would see a levels difference of less than 2m across the site, particularly though the central section. The majority of these would be less than 2m. The cut in the western boundary of the site would be approximately 2m. There would be more pronounced level changes in the eastern section of the site of between 2.5m and 3m and in the southern section of the site there would be a small element of fill of between 3.5m and 4m. Generally, the site would maintain its north – south fall but this would be levelled out to allow for development platforms. Some level adjustment and retention are proposed within private garden areas, but not to a great extent.

Various drawings have also been submitted to show the finished floor levels of the proposed dwellings through the application site. North Deeside Road sits at over 50m above ordnance datum (AOD). The levels within the site would range from approximately 45m AOD in the north west corner of the site to 43m AOD in the south-west corner of the site, 45.8m AOD on the western boundary (at Plot 11), 45m AOD within the affordable housing units in the north-eastern section of the site, 43m AOD in the central section of the site, 40.5m AOD in the along the southern boundary of the site and 39.25m AOD along the southern boundary of the site. The general layout, cut and fill and works involved given the layout of the existing site are considered to be acceptable in this instance and would give an appropriate layout of development.

Cross-sections have also been submitted in support of the application, which show the how the development would be visible from the Deeside Way to the south, sitting at a higher level than the footway along with a cross-section from North Deeside Road where the submitted cross-sections show the rooflines of the dwellinghouses sitting by and large below the level of North Deeside Road, which would retain the majority of views down to the Dee Valley. The dwellings would still be visible and more so until the landscaping matures within the application site boundary.

Sections have been provided through the dwellings to the southern boundary showing how these would be constructed, with stepped garden areas to take account of the gradient. A cross-section was also requested along the western boundary to the property at 263a North Deeside Road. It noted that Plots 9-11 would sit at a slightly lower level to the boundary (as shown on the submitted cross-section), whereas Plots 12-15 would sit at a higher level to the boundary. The plots would be approximately 14m from the rear from the boundary (in a north-easterly direction for Plot 11) and 17m in a south easterly direction from the site boundary with Plot 12). Plot 12 would also be approximately 17m from the south-western boundary of the site at its closest point. Whilst some of the plots in the south-west corner would sit at a higher level, the proposals would not have an unacceptable impact on the amenity afforded to these neighbouring properties. Further cross-sections have also been provided throughout the development site to show how the development would look in reality.

The information submitted is considered to be acceptable in relation to point (i) of Condition 1. The condition is therefore recommended to be discharged.

In relation to the second part of the condition, further information was required detailing the layout and finish of roads, visibility splays, footpaths, pedestrian connection across North Deeside Road, and cycle paths including the identification of safe routes to school from the development.

In relation to this, various details have been submitted in relation to the proposed roads. This includes the primary roads (and two accesses), which would be finished in an asphalt with black chippings. The other internal roadways would be finished in asphalt with red chippings. It is anticipated that both of these elements would be adopted. The footpaths through the site would be finished with a sub-base and sealed with a granite dust and other footpaths within the development would be finished in bitmac, with other areas of verging not adopted.

Swept path analysis has also been submitted in support of the application. This shows how refuse and other associated vehicles could access the site internally, how such vehicles would access the site from North Deeside Road and the associated movements of vehicles. This information has been reviewed by both colleagues in Roads Development Management and Waste Management, who have raised no observations to this element of the proposal, noting that vehicles would be able to access and manoeuvre through the site in a safe manner.

Various documents also show how the site would be accessed from North Deeside Road. This includes two vehicular accesses with associated footways and one further pedestrian access in the north-western section of the site, through the landscaped area. The proposal would also include two pedestrian / cycle accesses to the Deeside Way to the south. Cycle access would also be along the main accesses to the site.

The Safe Routes to School drawing also show how pedestrians would cross North Deeside Road. This would involve walking along the northern edge of the site, using existing and proposed pavements to the junction with Binghill Road where existing signalised pedestrian crossing points. Thereafter secondary school children would access buses to Cults Academy, whereas primary school children would continue along Binghill Road to the new primary school building.

The information submitted is considered to be acceptable in relation to point (ii) of Condition 1. The condition is therefore recommended to be discharged.

In relation to the third part of the condition, this required the submission of details of layout, design and external appearance of buildings and ancillary structures; vehicular and motorcycle parking; short and long term secure cycle parking; electrical vehicle charging facilities in accordance with the associated Supplementary Guidance; storage and collection arrangements for waste and

recyclables; boundary enclosures around individual homes and other premises; and details of play zones and play equipment to be provided.

In terms of the layout, the proposal is for the provision of 75 dwellinghouses, which would largely be made of larger detached properties in generously sized plots (55 units in total comprising 7 separate house styles), which is the predominant character found in the surrounding area. The proposal does include the provision of 20 affordable housing units in the north-eastern corner of the site. These would be made up of a mixture of 1 and 2 bed cottage flats (16 in total) and four 3-bed dwellings, which would be a mixture of social rented units and mid-market rent. It is proposed that these units would be operated by Spaces for People. The layout and type of these properties has been agreed with colleagues in the Housing Service and are also generally reflective of the design and layout of the site as shown in the agreed masterplan.

The proposed design of the dwellings has been altered since the original submission and generally includes 11 separate dwelling types of differing internal layout and external design. This includes three separate render types (pink chipped on a white backing, tudor chipped on a white backing and white essno chips on a white snowcrete backing), light blue cedar cladding, and white PVCu timbers and doors along with varying design differing design features. A number of the properties on their southern elevations also contain balconies. The design of the properties would introduce a differing and modern design to the traditional granite properties and later detached bungalows found in the surrounding area and would be more reflective of the design of nearby modern housing development found at nearby Oldfold. The properties would contrast to those that exist in the immediate vicinity but in a density and layout that is considered appropriate to the context, setting and masterplan principles and as a result it is considered they have been designed with due consideration for their context.

The majority of vehicular parking would be in-curtilage. For the affordable housing units, the proposal would include 17 parking spaces (including three disabled parking spaces) and two further visitor parking spaces. No cycle or motorcycle parking is proposed; it is noted that the wording of this condition requires this for the mixed-use element of the proposal. EV charging is discussed within the Design and Access Statement, which confirms that ducting would be provided to the house types with garages (which is all of the main-stream housing units) from the consumer unit to accommodate future installation of EV charging facilities, which would be in compliance with the associated Supplementary Guidance: Transport and Accessibility, which advises *“for residential developments, one charge point (passive provision) is the minimum required for each unit where spaces are private and off street”*. Colleagues in RDM are content with the above layout and provisions.

The waste arrangements for the flats and other properties have also been submitted and are considered to be acceptable. These elements have been reviewed by colleagues in Roads Development Management, who have raised no objection subject to a minor change to the road layout at Plot 9, which can be covered at Roads Construction Consent Stage, or Waste Management following clarification on the opening mechanisms of the waste facilities.

In terms of plot and boundary enclosures, these have been amended since the original submission. These include 2m high acoustic barrier fencing (as recommended in the Noise Impact Assessment) to the properties closest to North Deeside Road, 1.8m high timber fencing, stone walling, and part timber fence/ stone walling at various sections through the development site. The Planning Service raised initial concerns regarding visual impact of some elements, particularly along the southern, south-eastern and through the walking routes within the site. Further landscaping is now proposed to lessen the visual impact of standard timber fencing. The feature walling would generally be provided on the edges of roads and on the footpaths leading to the development to add interest and the stone walling along the southern edge of the boundary would be retained. It is also anticipated that the post-and-wire fencing along the northern edge of the site

would be removed once the development has been completed and a condition would be added requiring this to take place

The location of the play equipment has also been amended since the original submission. This was originally intended to be located along the northern boundary of North Deeside Road but has since been re-located to within the areas between Plots 27 & 30 and Plots 26 and 31 to make it more attractive to users. An informal area of open space would also be provided between Plots 52 and 53. The play equipment would be made of timber beams with logs and ropes to allow use by children of a variety of ages.

The information submitted is considered acceptable, in that the works have been designed with due consideration for their context and would have no adverse impact on the character or amenity of the surrounding area. All other technical matters have been resolved and the layout of the development generally follows that set out in the approved Masterplan. The associated condition is therefore recommended to be discharged.

Condition 2 – Access to North Deeside Road

The above condition required the submission of information in relation to the precise location, layout, design, and construction method of the proposed access junctions to North Deeside Road (A93), including layouts, capacity, distribution, operational flow and detailed cross-sections.

Various plans have been submitted in support of the application, which include two accesses from the site onto North Deeside Road. The western on these junctions would primarily serve the residential development, whereas the eastern-most junction would serve residential properties as well as any future development in the eastern section of the site. Detailed cross-sections have been submitted showing how the access roads would slope from North Deeside Road in an easterly direction into the application site.

Colleagues in RDM have reviewed the stacking lane capacity, distribution, and operational flow aspects of the proposal, which were submitted with the original Transport Assessment and have been resubmitted with the current proposals. They have accepted that the filter lane capacity and requirements are acceptable, and that the junction and associated works as proposed are appropriate from a Roads Development Management perspective. This would also all be finalised at Roads Construction Consent stage. The condition is therefore recommended to be discharged.

Condition 5 – Landscaping

The above condition required the submission of various details including schemes for the retention of existing landscaping, the location of new planting, species to be installed, details of hard-landscaping, existing trees and hedges and vegetation to be removed and a programme for the maintenance and protection of landscaping.

A detailed landscaping plan has been submitted in support of the proposals. Trees around the periphery of the site are to be retained. 28 trees are to be removed from the central section of the site, where they currently line the access road to the stables. The provision of various extra heavy standard, standard, multi stem and feathered trees is proposed throughout the application site. These would be spread across the development and would predominantly be located along the access roads and footpaths. Areas of native woodland planting, shrubs and hedges are also proposed throughout the development, including along the western and southern boundaries.

The proposals also include the provision of various areas of space throughout the development which would include a number of footpaths, and areas of open space which could be utilised by the general public as well as residents of the development.

It is also noted that any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted. It is also anticipated that the landscaping within the site would be maintained by a factor.

The landscaping details have been reviewed by various consultees including Natural Environment Policy and Aberdeen Airport and no objections have been received to the details submitted. An appropriate level of landscaping has been proposed throughout the site and as a result it is considered that the terms of the above condition have been met.

Condition 6 – Trees

The above condition required the submission of a scheme/ details of trees to be removed and retained along with a scheme for the protection of trees during construction works. Replacement planting/ landscaping was discussed in the previous section and considered to be acceptable. It was also noted that the cut and fill original proposed to extend into the Root Protection Area of the trees in the north-eastern section of the site. The proposal has been amended to ensure that this would not be the case, with the layout of Plot 9 altered slightly. A Tree Protection Plan has also been submitted, which states that most of the development falls outwith the canopy spreads in the majority of cases and that such protection measures should be implemented prior to development commencing on site. The main area of tree protection fencing is at the northwest corner of the site. The information has been reviewed by colleagues in Natural Environment Policy and is considered to be acceptable. The associated condition is therefore recommended to be discharged.

Condition 8 – Construction Environment Management Plan

The above condition required the submission of a CEMP which looked at various aspects including surface water management and site waste management during the construction period. There was also a requirement to put in appropriate mitigation measures to ensure no run-off into any watercourses which run adjacent to and through the application site. The submitted document reviewed various aspects including pollution control, water run-off, traffic, noise and vibration.

In terms of water run-off, the works would include the installation of silt fencing at the site boundaries, French drains and filter trenches and regular checking of the water quality within the settlement basins.

In terms of traffic, earthworks removal would be undertaken in dry conditions and road brushes would be used to clean the roadways. Operation would be between the hours of 7am and 7pm Monday – Friday and 8am to 1pm on a Saturday, which is standard working hours for such development sites. Measures have also been put in place to reduce vibration, which would include a full photographic dilapidation survey prior to works being undertaken and works being carried out in accordance with best practice. Dust suppression would be utilised when cutting materials and water spray would be utilised during dry conditions to suppress traffic and wind bourn dust.

The CEMP has been reviewed by both colleagues in Environmental Health and Natural Environment Policy, who are content with the findings of the documents following the submission of a revised document. Subject to implementation of the measures highlighted in the document the information and mitigation measures are considered to be acceptable. The condition is therefore recommended to be discharged.

Condition 9 – Air Quality/ Dust

This condition required the submission of a Dust Risk Assessment and Management Plan. This document included the DRA, associated mitigation measures and consideration of the significance of any residual effects.

The above document has been reviewed by colleagues in Environmental Health, who accept its findings, provided full and effective application of the DMP takes place including the associated mitigation measures, monitoring and complaints measures are adhered to. The condition is therefore recommended to be discharged.

Condition 11 – Noise Impact Assessment

This condition required the submission of a NIA to assess the road traffic impact of noise from North Deeside Road, quarrying impacts to the south of the site and plant noise impacts for future plant associated with the development.

The NIA noted that 23 of the properties are expected to have noise levels during the day that exceed the external trigger noise levels and 16 during the evening. The report advises that this is considered acceptable from a major transportation road, and similar to those found in properties in the surrounding area and that any impact can be mitigated by using standard windows and trickle ventilation construction. External noise can be controlled within the habitable rooms of the development. In terms of quarrying operations to the south, it is noted that no current permit or planning permission exists, so these operations have not been considered in the NIA.

The NIA has been reviewed by colleagues in Environmental Health, who are content with the findings and are content that the aforementioned condition can be discharged provided the noise mitigation measures provided within the NIA are applied. The condition is therefore recommended to be discharged.

Condition 12 – LZCT Statement

The submitted Low and Zero Carbon Technology Statement discusses the building fabric and construction, which have been designed to minimise energy use and provide U-values above Building Regulations. The proposals would also include the installation of solar panels on southern elevations, the connection of all dwellings to the SuDS basin, discusses SAP calculations relative to the use of Low and Zero Carbon Generating Technologies and water saving technologies. The report concludes that the development would be compliant with Policy R7: Low and Zero Carbon Buildings, and Water Efficiency and its associated SG: Resources for New Development. The condition is therefore recommended to be discharged.

Condition 13 – Watercourse

The above condition required the submission of further information in relation to the existing water courses which run through the site and whether any of these require to be de-culverted.

In relation to this, information has been submitted which advises that the Binghill Burn runs as an open watercourse from a culvert below North Deeside Road in a south-easterly direction to approximately halfway down the field (in the eastern part of the PPP site, outwith the current MSC application boundary) where it enters a 200m diameter culvert which further crosses the current application site in a southerly direction into a further open watercourse. The culvert was surveyed and found to be in a good state of repair.

Colleagues in Flooding and SEPA were initially concerned with the re-routing of the culvert but did note that the discharge rates and location would be acceptable provided further information was submitted regarding the existence and route of the watercourse in the eastern section of the development allocation. The proposals have been amended to alter the line of the culvert to keep it outwith the SUDS basin and evidence was submitted to show the open watercourse from the 300mm culvert outfall to the 4ft x 5ft masonry culvert running below the Deeside Way, which thereafter leads to the River Dee, a further 350m away.

The revised information was considered to be acceptable to colleagues in Flooding. SEPA also raised no objection to the amended proposals in relation to their interests noting that the culverted

section of the burn is to be re-routed. Further statutory approvals may be required from SEPA, and the applicants will be required to contact them in this required. The condition is therefore recommended to be discharged.

Condition 14 – Watercourse – SEPA

The above condition required the submission of further information in relation to the realignment of any watercourses within the development site along with any other crossings which would be required within the development site. As per the above condition, these works relate to the re-routing of the Binghill Burn. SEPA have confirm that they have no objections to the works as proposed. The condition is therefore recommended to be discharged.

Condition 15 – Green Measures

The scheme of green measures relative to water infrastructure for the proposed development was provided in the same report. Very little has been included in support of this condition, but this does include the provision of the SuDS basin and associated surrounds, along with various areas of landscaping throughout the application site. SEPA are content with what has been proposed. The condition is therefore recommended to be discharged.

Condition 16 – Bird Hazard Management Plan

The submitted BHMP has been submitted and reviewed by Aberdeen International Airport Safeguarding. This document concluded that the development is likely to reduce the value of the site for feeding birds, and the design of the dwellings will not enable birds to nest, and the SuDS basin will avoid the creation of open water habitats. The development is therefore considered unlikely to elevate the risk of bird strike to passing aircraft. Management during construction, along with the proposed landscaping types will result in a very low risk in relation to bird strikes. AIA have reviewed this document and have raised no objection. Subsequently it is considered that the proposals would comply with B4: Aberdeen Airport of the ALDP. The condition is therefore recommended to be discharged.

Condition 17 – Archaeology

The submitted Written Scheme of Investigation has been reviewed by colleagues in Archaeology, who have confirmed that the document meets the initial requirements of the condition and as a result the works can proceed as proposed. They have requested a partial discharge of the condition to allow works to proceed in accordance with the WSI and that full discharge of the condition will come upon completion of the on-site mitigation and a Post-Excavation Research Design is agreed, should there be a requirement for one. Subsequently it is considered that the proposals would comply with D4: Historic Environment of the ALDP. The condition is therefore recommended to be discharged.

Condition 18 – Badger Survey

The above condition required the submission of an updated Badger Survey and Protection Plan, which has been reviewed by colleagues in Natural Environment Policy. This document included details of badger activity in the surrounding area, including within the development site and how the species would be protected during development. The report and mitigation/ protection measures (which include a 30m protection cone protected by associated fencing and consultation if any works are required within these areas) are considered to be acceptable and colleagues in NEP are content with the report's findings. The condition is therefore recommended to be discharged.

Condition 19 – Surface Water

The above condition required the submission of details of SUDS treatments for the development along with source controls and compliance with the SUDS manual. In response to this the applicants have submitted drawings showing the drainage arrangements for the site and overall drainage layouts for the development.

The drawings indicate the locations of the existing combined sewer, which generally runs along the northern and eastern sections of the site along with the location of the required Scottish Water wayleave. The surface water and foul water connections for the dwellinghouses would generally run through the new road network within the development site.

The Drainage Statement advises that greenfield run-off has been determined in line with required calculations and drainage calculations have considered future connections of the adjacent land to the east. Water quality has also been assessed in line with the Simple Line Approach with the mitigation indicates being in excess of the pollution indices. Surface and water foul networks have also been designed in accordance with Sewers for Scotland requirements. Simulations have also been run to assess the surface water network under 1 year, 30 year and 200-year storm events, which demonstrate that outfalls within the greenfield run-off rates. The report also indicates that the 200-year storm event does show flooding to the network, but that the overland flow results show that no houses would be at risk of inundation from overflow flood routes.

The above information has been reviewed by both colleagues in Flooding and Roads Development Management, who are content with the level of information submitted and have raised no objection to the application. Subsequently, the surface water information, as submitted, is considered to be acceptable. The condition is therefore recommended to be discharged.

Condition 20 – Scottish Water

The above condition required the submission of information regarding connection to the public wastewater system for foul drainage, including confirmation from Scottish Water that such connections can be made and that any necessary upgrades are made.

In their consultation response Scottish Water raised no objection to the proposals, but it is noted that this response was rather generic in nature. Within the applicant's submitted Drainage Statement there is further correspondence from Scottish Water which advises that there is currently sufficient capacity at both the Invercarnie Water Treatment Works and at the Nigg Waste Water Treatment Works to serve the development. The response also noted that there are no issues currently identified which would adversely affect the demands of the development. The above response was dated June 2022 and remains valid for 12 months. This confirmation, along with the details contained within the associated drawing (Overland Flow Route) are considered to be acceptable and show that the proposed development can be adequately connected to the public wastewater system. The condition is therefore recommended to be discharged.

Condition 21 – Residential Travel Pack

The submitted Residential Travel Pack has been reviewed by colleagues in Roads Development Management. The document provides guidance to prospective owners on walking, cycling, public transportation and car usage along with other general advice. The information is considered to be acceptable and RDM have are content that the condition can be discharged. The condition is therefore recommended to be discharged.

Matters Raised by the Community Council

Cults, Bieldside and Milltimber Community Council have advised that their principal reason for objection is that they cannot fully evaluate the proposals until such a time as proposals are put forward for the whole site and that the Council should not determine an application for this site until the Report of Examination has been received and the Proposed ALDP 2022 has been adopted. *Response: The Report of Examination has been issued and includes the site in the forthcoming ALDP 2023, notwithstanding, planning permission in principle has been granted for the site and the principle of residential development on site has previously been established, there is therefore no requirement to wait for the ALDP 2023 to be adopted. The Council also has a*

legislative duty to determine applications timeously. This is further expanded upon in Point 1 of the responses to objectors' comments below.

They have also made the following comments, which they would wish to be addressed:

1. Connections to the Deeside Way – concerns about these being open during development and would prefer it to be installed once adjacent dwellings are complete. *Response: The Planning Authority would expect this to be the case but cannot control the phasing of construction.*
2. Concerns about the western connection to the Deeside Way and whether this should be made DDA (Disability Discrimination Act) compliant. *Response: the original preference of the Planning Service was that this access would be step free. This would have however involved a ramp access that exceeded 100m in length and the ecological impact and visual impact that this would have had was not considered to result in an appropriate solution. A DDA compliant access to the Deeside Way is to be provided in the eastern section of the site and this solution is considered to be acceptable.*
3. No wildlife appraisal has been submitted for the application site, this should be submitted and reviewed. *Response: appropriate Ecological Surveys were submitted at the time of the PPiP application and considered acceptable. The development would be required to comply with the findings of this document. A Badger Survey has also been submitted in support of the current application. Due to the protected species involved this document has not been made public.*
4. Concerns about the impact of the development on 263a North Deeside Road, particularly in terms of overlooking. *Response: further supporting documents have been submitted including cross-sections, cut and fill details and details of any western boundary treatments. As a result, it is considered that the development, as proposed, would have no adverse impact on properties in the surrounding area.*
5. Concerns about the creation of soil bunds and need to ensure that the Construction Environment Management Plan mitigates against this. Also require further clarification on vehicle movements on to North Deeside Road. *Response: further supporting documents have been submitted including cross-sections, cut and fill details and details of any western boundary treatments. As a result, it is considered that the development, as proposed, would have no adverse impact on properties in the surrounding area.*
6. Requested further details on boundary treatments to north and southern boundaries, as well as clarification on how the play equipment adjacent to North Deeside Road would be utilised. *Response: the CEMP has been amended to take the above matters into consideration. It has been discussed elsewhere in the evaluation section of this report.*

Matters Raised in Representations

Principle of Development

1. The development site should be assessed as a whole and should be restricted to the levels of the allocation. *Response: there is no requirement for the development to be considered as a whole, and the landowners are entitled to submit separate applications for different areas of the site. It would not be possible to refuse an application for this reason. It is common practice to accept and consider multiple MSC applications for part of a PPP development site, for example to reflect the phasing of development. Planning Circular 3/2013: Development Management Procedures states that 'applications for approval of*

matters specified in conditions are not applications for planning permission... Also, there is no statutory limit on the number of such approvals which can be sought in any one application. This provides flexibility as to how an applicant may seek to discharge conditions on a PPP. In addition, the number of housing units is consistent with that set out in the extant Planning Permission in Principle. The Planning Authority are content that the proposal enables the future addition of the retail element (and up to 5 further houses) element of the proposal in accordance with the PPIP and Masterplan and how access is envisaged to be taken (i.e. from within the site and not a further access from North Deeside Road)

2. The proposal should ensure that there is no adverse impact on the character or amenity of the surrounding area. *Response: the proposal has been assessed and amendments/clarification sought to ensure that the proposals, as submitted, would have no adverse impact on the amenity of the surrounding area.*
3. The application should not be determined until the Report of Examination is received and the ALDP2022 is adopted. *Response: the LDP Report of Examination has been issued and the site is to be included in the forthcoming Aberdeen Local Development Plan 2022. Even if this has not been issued the Planning Authority would have had to determine the application in line with the extant Planning Permission in Principle, the adopted LDP and associated Supplementary Guidance.*
4. There should be no development on site. *The site is allocated for development in the adopted Aberdeen Local Development Plan and benefits from an extant Planning Permission in Principle.*
5. Concerns about development on the adjacent site to the east. *Response: this is not a material consideration to the determination of this application. Any future application on adjacent land will be assessed on its own merits.*
6. The loss of Green Belt. *Response: the principle of development has been established. The site is allocated for development in the adopted Aberdeen Local Development Plan and benefits from an extant Planning Permission in Principle.*
7. The need for further housing in Milltimber. *Response: the suitability of the site for development has been assessed as suitable for residential development within the Lower Deeside area through its allocation and PPP.*
8. The lack of amenities within the site and the surrounding area. *Response: the principle of development has been established. The site is allocated for development in the adopted Aberdeen Local Development Plan and benefits from an extant Planning Permission in Principle.*

Layout, Siting and Design & Impact on Amenity

9. Layout, siting, and design of the development. *Response: this matter is assessed in detail at Condition 1 of this evaluation above.*
10. The location of the play equipment and lack of community facilities on site. *Response: this matter was addressed in Condition 1 of this evaluation above and it is noted that the location of the play equipment has been moved away from North Deeside Road.*

11. Screening along North Deeside Road should be appropriate for the area. *Response: no details of the screening treatments during the construction phase have been provided and are typically not required for the assessment of a planning application.*
12. Impact on the character and amenity of the surrounding area. *Response: this matter has been assessed previously and it has been concluded that the proposals would have no adverse impact on the character or appearance of the surrounding area.*
13. The location of the affordable housing and the impact that this would have on the surrounding area. *Response: the location of the affordable housing is considered to be acceptable and complies with the locations as shown in the masterplan. The location of these units would have no adverse impact on the character or appearance of the surrounding area.*
14. Require further details on boundary treatments. *Response: the information regarding the boundary treatment has been assessed under Condition 1.*
15. Western footpath connection to Deeside Way should be step free. *Response: the preference of the Planning Service was that that this access would be step free. This would have involved a ramp access that exceeded 100m in length and the ecological impact and visual impact that this would have had was not considered to result in an appropriate solution. A DDA compliant access to the Deeside Way would be provided in the eastern section of the site and this solution is considered to be acceptable.*
16. Concerns about proposed gas – combi boilers. *Response: this is not a material planning consideration.*
17. Impact on neighbouring properties, in particular 263a North Deeside Road. *Response: it is noted that this property is the closest to the application site boundary. Further cross-sections and cut-and-fill details were provided in relation to this section of the site to ensure that the proposals would have no adverse impact. The impact of the development on this property is not considered to be to any extent that would warrant refusal of planning permission.*
18. The levels difference to properties in the south-west corner of the site. *Response: similar to point 17, further information was requested in relation to this aspect of the proposal and has been discussed elsewhere. The proposals are considered to be acceptable and would have no adverse impact on the character or amenity of the surrounding area.*

Transportation, Drainage and Flooding

19. Impact on road network and safety of users. *Response: A Transport Assessment has previously been submitted and assessed for the development at PPP stage. This matter has also been addressed in the above evaluation with the junctions proposed considered acceptable, with colleagues in Roads Development Management having no objection to the works as proposed from a road safety perspective.*
20. Concerns for pedestrians, cyclists, and motor vehicles for existing residents of properties on the southern side of North Deeside Road. *Response: similar to the above, the proposal has been assessed as acceptable from a road safety perspective.*
21. Concerns regarding number of entrance points to North Deeside Road. *Response: the masterplan has indicated that there would be two access onto North Deeside Road, this*

was assessed and accepted through the PPP application and the submitted drawings indicate two accesses, with the eastern one also serving the future phases of the development. If a third access was proposed this would be assessed on its own merits.

22. Impact of new junction on cyclists. *Response: it is not anticipated that the development would have any adverse impact on cyclists.*
23. Concerns regarding content of residential travel pack. *Response: the contents of the travel pack have been reviewed by colleagues in RDM and are considered to be acceptable. The content of the report is typical of those for residential developments throughout the city.*
24. Additional impact on the existing road network. *Response: the details of the new junction have been assessed by colleagues in Roads Development Management and considered to be acceptable.*
25. The proposal does not encourage the use of public transport. *Response: public transport modes are found on North Deeside Road to the immediate north, which would provide access to both the city centre and Royal Deeside. The development would also provide additional connections to the Deeside Way of the south and is considered acceptable from a sustainable/ public transport perspective.*
26. Concerns regarding safe route to school. *Response: the safe route to school is considered to be appropriate and no objection has been received from consultees. It is noted that the route would include walking along the northern boundary of the site to existing traffic lights and then access to Milltimber Primary School along Binghill Road. This is the route that numerous users on the southern side of North Deeside Road would take. It would be similar for secondary school users who would have to cross North Deeside Road to access bus connections to Cults Academy.*
27. Require further clarification on the drainage mitigation/ disturbance proposals. *Response: revised drainage information has been reviewed by colleagues in the flooding team, Roads Development Management and SEPA. The information submitted is considered to be appropriate and would not result in increased flooding/ water disturbance to neighbouring properties.*
28. Potential for flooding on the development site. *Response: similar to the above comment, the information submitted does not indicate that the property would have an adverse impact on properties in the surrounding area.*
29. The watercourse in the south-west corner of the site has not been considered. *Response: the watercourse to the west of the development has been reviewed and the CEMP has mitigation measures to ensure there would be no pollution to the watercourse, which leads to the River Dee SAC. Provided this is implemented in accordance with the approved details there should be no pollution of adjacent watercourses.*
30. Water run-off from the west of the development is likely to flow into the waterway to the west. *Response: consultees have raised no objection to this element of the proposal, and it is not anticipated that there would be any adverse impact on the surrounding area.*

Noise, Air Quality and Construction

31. Health and safety during construction. *Response: the CEMP was updated during the application process and colleagues in Environmental Health considered its content to be*

acceptable. Any complaints received during the construction phase would be addressed accordingly.

32. Concerns with the content of the Construction Environment Management Plan. *Response: the CEMP was revised, and its content considered to be acceptable in that provided works are carried out in accordance with the approved details there would be no adverse impact on neighbouring residents to an extent that would warrant refusal of planning permission.*
33. Vibration from construction and impact on neighbouring properties. *Response: this matter was raised in the CEMP and details revised accordingly. The matter has also been discussed elsewhere in this report.*
34. Impact from soil bunds on properties along North Deeside Road. *Response: the CEMP has been amended to make it more site specific and reviewed as acceptable by various colleagues.*
35. CEMP should specify control measures for construction vehicles entering and exiting the site. *Noting that the roads response is silent on the matter. Response: the CEMP has indicated that earthworks removal would be undertaken in dry conditions and road brushes would be used to clean the roadways. It would be expected that vehicles entered and existed the site in a safe manner.*
36. Concerns regarding content of the NIA. *Response: the NIA has been reviewed by colleagues in Environmental Health and its findings are considered to be acceptable.*
37. Impact of dust on existing streams. *Response: this issue was covered in the CEMP and mitigation measures are required to be put in place to ensure that no materials contaminate the streams, which lead into the River Dee SAC.*
38. Working hours. *Response: the generally accepted working arrangements for such developments are 7am and 7pm Monday – Friday and 8am to 1pm on a Saturday, which are as indicated in the CEMP. This would be acceptable to both the Planning Authority and Environmental Health.*
39. Length of construction period. *Response: once development commences on site the Planning Service would have no control over how long it would take to complete.*

Natural Environment

40. Tree Loss. *Response: tree loss within the site would be restricted to the central section. Replacement planting would be provided through the site, and it is not anticipated that the works would have an adverse impact on the character or amenity of the surrounding area.*
41. Lack of ecological surveys. *Response: various surveys were submitted at the time of the original PPIp application, and the development is required to comply with the contents of the agreed Ecological Survey. An additional Bat Survey was also submitted in support of the proposed development.*
42. Request additional tree planting on boundaries of site. *Response: the levels of tree planting and landscaping proposed by the applicants is considered to be acceptable in this instance.*

Proposed Aberdeen Local Development Plan

In relation to this particular application, the policies in the Proposed Aberdeen Local Development Plan 2020 (PALDP) substantively reiterate those in the adopted Local Development Plan and the proposals are considered to be in accordance with both Plans for the reasons previously given.

Whilst the Proposed ALDP did not include the Milltimber South OP114 site as an allocation, the Report of Examination does, and this represents the most up to date LDP position that will be carried forward into the ALDP 2022.

RECOMMENDATION

Approve Conditionally

REASON FOR RECOMMENDATION

The details provided through the submitted plans and other associated documentation are considered to be in compliance with conditions 1 (Design); 2 (Access Junction); 5 (Landscaping); 6 (Trees); 8 (CEMP); 9 (Air Quality/Dust); 11 (Noise Impact Assessment); 12 (LZCT Statement); 13 (Watercourse) ,14 (Watercourse, SEPA); 15 (Green Measures); 16 (BHMP); 17 (Archaeology); 18 (Badger Survey), 19 (Surface Water), 20 (Scottish Water); 21 (Residential Travel Pack) of Planning Permission in Principle ref. 200535/PPP in respect of the erection of 75 residential units and associated infrastructure and landscaping. .

The proposed development is considered to comply with Policies LR1: Land Release Policy, OP114: Milltimber South, D1: Quality Placemaking by Design, D2: Landscape, D4: Historic Environment, I1: Infrastructure Delivery and Developer Obligations, T2: Managing the Transport Impact of Development, T3: Sustainable and Active Travel, T4: Air Quality, T5: Noise, H2: Mixed Use Areas, H3: Density, H4: Housing Mix, H5: Affordable Housing, NE4: Open Space Provision in New Development, NE5: Trees and Woodlands, NE6: Flooding, Drainage and Water Quality, NE8: Natural Heritage, NE9: Access and Informal Recreation, B4: Aberdeen Airport, R6: Waste Management Requirements for New Development, R7: Low and Zero Carbon Buildings, and Water Efficiency and CI1: Digital Infrastructure of the Aberdeen Local Development Plan and its associated Supplementary Guidance relating to Landscape, Planning Obligations, Affordable Housing, Transport and Accessibility, Air Quality, Noise, Natural Heritage, Trees and Woodlands, Flooding, Drainage and Water Quality, Green Space Network and Open Space and Resources for New Development.

For similar reasons the proposal would also comply with Policies WB2: Air Quality, WB3: Noise, NE3: Our Natural Heritage, NE4: Our Water Environment, NE5: Trees and Woodland, D1: Quality Placemaking, D2: Amenity, D4: Landscape, D5: Landscape Design, R5: Waste Management Requirements for New Development, R6: Low and Zero Carbon Buildings, and Water Efficiency, H3: Density, H4: Housing Mix and Need, H5: Affordable Housing, I1: Infrastructure Delivery and Developer Obligations, T2: Sustainable Transport, T3: Parking and CI1: Digital Infrastructure of the Proposed Aberdeen Local Development Plan 2020.

A tension exists with the PLDP zoning of the site in the PLDP as Green Belt and Green and Blue Infrastructure, however this is superseded by the existence of Planning Permission in Principle 200535/PPP. The anticipated allocation of the site in the forthcoming ALDP 2022 is also a material consideration.

CONDITIONS

1. Prior to the occupation of the 38th dwellinghouse, both the eastern and western footpath connections to the Deeside Way, illustrated on drawing ref BH222-BHL-ZZ-ZZ-DR-A-P (00)003 P03 shall be completed and brought into use. Thereafter, the said connections shall

be retained in perpetuity. Reason: in order to provide pedestrian access to the site from the Deeside Way.

2. That the use hereby approved shall not be brought into use unless the noise mitigation measures have been installed in accordance with the conclusions and recommendations set out in the approved Noise Impact Assessment (Noise Impact Assessment Ref: 9208/PR/SL Rev D – dated 18th August 2022. Once installed the mitigation measures shall be retained in perpetuity, unless otherwise agreed in writing with the Planning Authority. Reason: in the interests of amenity.
3. Prior to the occupation of the 75th dwellinghouse, the existing post and wire fencing located along the northern boundary of the application site shall be removed in its entirety. Reason: in the interests of amenity and to open up the area of open space to the immediate south.