

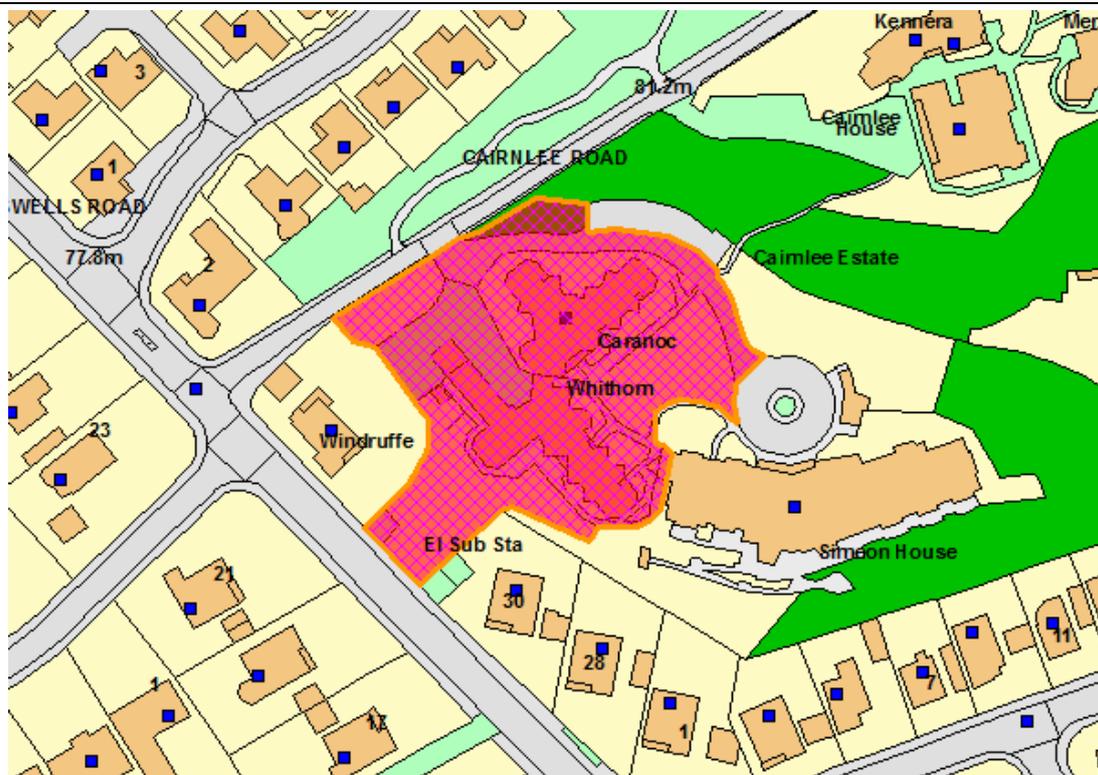


# Planning Development Management Committee

Report by Development Management Manager

**Committee Date: 1<sup>st</sup> December 2022**

Site Address:	Caranoc Whithom, Cairnlee Road, Aberdeen, AB15 9BN
Application Description:	Demolition of existing residential building and erection of replacement building to create 20 co-house apartments with associated bin and bike store and other associated works
Application Ref:	220211/DPP
Application Type	Detailed Planning Permission
Application Date:	21 February 2022
Applicant:	Camphill Senior Co-housing Aberdeen
Ward:	Lower Deeside
Community Council:	Cults, Bieldside and Milltimber
Case Officer:	Gavin Clark



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## **RECOMMENDATION**

Approve Conditionally and Subject to Legal Agreement

## **APPLICATION BACKGROUND**

### **Site Description**

The application site, which extends to approximately 4700sqm, contains an existing vacant single storey building is located within the settlement of Bielside, within what would've originally been the grounds of Cairnlee House, which lies to the east. The existing building, known as 'Caranoc' and 'Whithorn' is largely single storey but with two storey elements and comprises 20 terraced apartments with a shared kitchen and lounge area. Simeon House is located to the immediate south of the application site and is also in the ownership of the applicant. This is a two-storey building of a similar architectural design to that proposed.

The site is bound by a large number of deciduous and evergreen trees and there are large areas of landscaping and woodland both within the applicant's ownership and bounding the application site boundary.

The surrounding area is predominantly residential in nature and includes a number of one-and-a-half and two storey dwellinghouses. Baillieswells Road is located to the west of the application property, with Cairnlee Road (where access is taken from) located to the north and Cairnlee Terrace located to the immediate south. The Caranoc and Whithorn existing building was constructed as residential accommodation for retired co-workers and others affiliated to the Camphill community, based at Newton Dee, 1 km southwest of the application site.

### **Relevant Planning History**

In relation to the building to the immediate south of the application site boundary, planning permission (Ref: 110917) was approved in April 2012 for the redevelopment of a Simeon care for the elderly home to form a new care home and day care facility. This permission has been implemented and the buildings now occupied.

## **APPLICATION DESCRIPTION**

### **Description of Proposal**

The proposal seeks detailed planning permission for the demolition of the existing single storey residential building and erection of a replacement building to create 20 apartments with associated bin and bike store and other associated works. The building would be occupied by workers within the Camphill community solely and the applicant's supporting statement has advised that the proposal has been designed to "*address the needs of the ageing co-worker population dedicated to the service of Camphill Schools*".

The building would principally be three storeys in height, with two storey wings and a south facing principal elevation, although the main access would be taken from the northern elevation. The southern elevation would be extensively glazed and would include a number of balconies at second and third storey levels. Materials proposed would include a zinc metal roof, aluclad windows and doors, vertical larch boards and horizontal larch cladding, smooth render and concrete and natural stone setts.

The proposals would also include the provision of thirteen parking spaces, bin storage areas and areas of landscaping to the front of the property. Access would be taken from the existing access on Cairnlee Road to the immediate north.

### **Amendments**

The proposed design of the building has been amended since the original submission to reduce its overall massing. This has included "hipping" both ends of the structure and making alterations to the northern elevation. Further information has also been submitted to address consultees'

concerns including an updated Bat Survey, and further details for colleagues in both Roads and Environmental Health.

### **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=R7NA9BBZKSD00>

- Bat Survey Report and Appendix
- Tree Survey and Management Brief
- Design and Access Statement
- Drainage Statement
- Transport Statement
- Affordable Housing Planning Statement

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

The application has been referred to the Planning Development Management Committee because the proposal has been subject to six or more timeous letters expressing comments of objection to the application. Subsequently, the proposal falls outwith the scheme of delegation. Cults, Bielside and Milltimber Community Council have also made comment on the development, but do not object.

### **CONSULTATIONS**

**ACC - Environmental Health** – have no objection to the proposals following the submission of further information, and subject to a number of conditions. Their response will be discussed in greater detail in the evaluation section of this report.

**ACC - Roads Development Management Team** – have provided various comments in relation to the application. In summary they have raised no objection to the proposals subject to a number of planning conditions and their response will be discussed in greater detail in the evaluation section of this report.

**ACC - Developer Obligations** – have advised of the requirements for the proposed development. These matters will be discussed in greater detail within the below evaluation.

**ACC - Waste and Recycling** – have advised of the waste management requirements for the proposed development.

**Scottish Water** – unable to confirm capacity at the Mannofield Water Treatment Works. Confirm that there is sufficient capacity for foul only connection at the Nigg Wastewater Treatment Works.

**Cults, Bielside and Milltimber Community Council** – provided a number of comments in relation to the application:

1. Expected that the Planning Authority would request the submission of a Construction Environment Management Plan (CEMP) detailing how construction traffic would be controlled to ensure no inconvenience to existing road users and this would be conditioned as part of any approval.
2. Concerns about access to the proposed development and have suggested that attention be given to the visibility splays and the provision of “give way” road markings and signage.

3. Concerns in relation to the state of Cairnlee Road, which could be further damaged by construction traffic. Note that the applicant has indicated that they would be willing to re-surface part of the road but have suggested that this could be extended up to its eastern end.

## **REPRESENTATIONS**

The proposal has been subject to seven public representations (five in support and two offering neutral comments but raising issues that would be considered as an objection). The matters raised can be summarised as follows:

1. The proposed three storey building would have an adverse impact on the character and amenity of the surrounding area, with buildings in the surrounding area all being of a similar height.
2. Matters raised in relation to screening along the northern boundary. Should the development proceed, the developer should be obligated to repair or replace any dead or damaged trees; or an alternative screening method installed.
3. Concerns in relation to the state existing access road and site access, and whether it would be suitable during the construction period, the level of development proposed (ensuring it complies with current requirements) and that it should remain open for the length of development.
4. Concerns raised regarding the neighbour notification procedures.

## **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 five years after the date on which the current plan was approved. From 21 January 2022, the extant local development plan will be beyond this five-year period. Therefore, where relevant, weight 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 – D1: Quality Placemaking by Design, D2: Landscape, I1: Infrastructure Delivery and Planning Obligations, T2: Managing the Transport Impact of

Development, T3: Sustainable and Active Travel, T4: Air Quality, T5: Noise, H1: Residential Areas, H5: Affordable Housing, NE5: Trees and Woodlands, NE6: Flooding, Drainage and Water Quality, NE8: Natural Heritage, R6: Waste Management Requirements for New Development, R7: Low and Zero Carbon Buildings, and Water Efficiency and CI1: Digital Infrastructure.

### **Supplementary Guidance (SG)**

Planning Obligations, Affordable Housing, Transport and Accessibility, Trees and Woodlands, Flooding, Drainage and Water Quality and 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 following policies are relevant – WB2: Air Quality, WB3: Noise , NE3: Our Natural Heritage, NE4: Our Water Environment, NE5: Trees and Woodlands, D1: Quality Placemaking, D2: Amenity, D4: Landscape, R5: Waste Management Requirements for New Development, R6: Low and Zero Carbon Buildings, and Water Efficiency, H1: Residential Areas, H5: Affordable Housing, I1: Infrastructure Delivery and Planning Obligations, T2: Sustainable Transport, T3: Parking and CI1: Digital Infrastructure.

## **EVALUATION**

### **Principle of Development**

In terms of the principle of development, Policy H1 (Residential Areas) of the ALDP advises that proposals for new development will be approved in principle if it: does not constitute over development; does not have an unacceptable impact on the character or appearance of the surrounding area; does not result in the loss of valuable or valued areas of open space and complies with Supplementary Guidance. These detailed issues are set out in the below evaluation.

### **Layout, Siting and Design**

Policy D1 states that all development must ensure high standards of design and have a strong and distinctive sense of place, which is a result of context appraisal, detailed planning, quality architecture, craftsmanship and materials. Also well considered landscaping and a range of transportation opportunities ensuring connectivity are required, compatible with the scale and character of the development.

The proposal is for a specific type of housing associated with the Camphill community and would provide accommodation for retired Camphill workers over the age of 55 (which would be controlled via the required legal agreement). The majority of the bedrooms within the building would therefore be one-bed to meet the requirements of the specific users of the premises. The general layout and mixture of property types is considered to be acceptable and, as discussed in more detail below, is considered to constitute an affordable housing development. The proposal would therefore comply with the general principles of Policies H4 (Housing Mix) and H5 (Affordable Housing) of the ALDP.

Generally, it is desirable for properties to have a dual aspect i.e., have windows which face out from two separate elevations/ in different directions. In this case the majority of the units would be single aspect, although the southern elevations would be extensively glazed with balconies for a

number of the properties on the upper floors and double doors for those on the ground floor. This is primarily due to the access to each of the rooms running along the northern elevation of the building. It should be noted that the building has been designed in such a way that the entrance door to each property would be located opposite a window on the northern elevation. The smaller of the units would be approximately 42sqm in size, leading up to 2-bed units of around 72 sqm. It is also noted that communal areas would be located on the ground floor of the properties. Given these, along with the levels of glazing proposed on the southern elevation. This arrangement is considered to be acceptable and each of the properties would allow for an appropriate level of amenity for the proposed occupiers.

The building would primarily be three storeys in height, with two storey wings at either end, with the roofs hipped to reduce the overall presence of the development. The building would also be angled to meet in the middle to reduce its required footprint. The building would therefore have a maximum overall height of approximately 11m for the three-storey element and 7.5m for the two-storey element. The massing and layout are considered acceptable in terms of how it would sit within the context of the surroundings. Whilst it is acknowledged that the general character of the area is one and a half storey and two storey dwellinghouses, the building would be located at the rear of the site and visually screened by a mature bank of trees; it would also sit to the immediate north of a two-storey building of a similar architectural design, the recent care home development. The massing has also been reduced since the original submission to hip either side of the building and reduce its overall presence. It is considered that the proposal would therefore not appear out of place or out of context. The nearest residential properties are located approximately 30m to the south-west, with the dwelling sitting adjacent (to the west) being within the control of the applicant. Those to the rear also sit behind a mature band of trees and the ground levels increases. In summary, it is considered that due to their location and siting the proposals would have no overbearing impact or adverse impact on privacy on existing residential properties in the surrounding area.

The building would also utilise a number of different materials including a zinc metal roof, aluclad windows and doors, vertical larch boards and horizontal larch cladding, smooth render and concrete and natural stone setts. The building is considered to have been designed with due consideration for its surrounding context and would have no adverse impact on the character and appearance of the surrounding area. The design of the building is therefore considered appropriate in this instance.

In summary, it is the view of the Planning Authority that the building would sit comfortably within its surroundings, in terms of their general scale, it has been designed with due consideration for its context and would therefore comply with the general principles of Policies D1 (Quality Placemaking by Design) and H1 (Residential Areas) of the ALDP.

### **Developer Obligations/ Affordable Housing**

Development must be accompanied by the infrastructure, services and facilities required to support new or expanded communities and the scale and type of developments proposed. Where additional demands on community facilities or infrastructure that would necessitate new facilities or exacerbate deficiencies in existing provision, the Council will require the developer to meet or contribute to the cost of providing or improving such infrastructure or facilities. The level of infrastructure requirements and contributions will be outlined by the Council, through the Developer Obligations Assessment and will relate to the development, in line with Policy I1 - Infrastructure Delivery and Planning Obligations. In addition to the above, Policy H5 Affordable Housing advises that housing developments of five units or more are required to contribute no less than 25% of the total number of units as affordable housing.

In respect of the above, the applicants have submitted an Affordable Housing Planning Statement in support of the application. The proposed units would provide affordable housing units for retired Camphill co-workers and others with an affiliation to the Camphill community who otherwise may struggle to access suitable housing. The statement sets out that the proposed development is an 100% affordable development in that the proposed co-housing units would be rented at the Local Housing Allowance rate, as per the definition of Mid-Market Rent housing in the SG, with the development to be bound by a legal agreement to ensure that the units are retained as affordable housing in perpetuity.

The Planning Service have reviewed the above document in consultation with colleagues in Developer Obligations and Housing and are content that subject to the conclusion of a legal agreement which: restricts the units to use by Camphill Estates and to be occupied by employees or former employees over the age of 55, the proposal is acceptable. Also necessary is the insertion of a clause in any agreement that if occupancy or ownership of the land/development changes then a notification clause would be included to advise the Planning Authority of any such change with an option to review the occupancy clause at that time. The applicants have agreed to the above. It is therefore considered that the proposed development would comply with Policy H5 (Affordable Housing) of the ALDP and its associated SG: Affordable Housing.

In terms of other planning obligations required the Developer Obligations Assessment Report has noted a requirement for contributions towards the Core Path Network (£5059), Healthcare Facilities (£7847) and Open Space (£2489). There is no requirement for contributions towards primary education, secondary education, community facilities or sports and recreation. The above contributions would also be tied to the required legal agreement and subject to the conclusion of this the proposed development would comply with Policy I1 and its associated SG: Planning Obligations.

### **Natural Heritage**

Policy NE8 advises that direct and indirect effects on sites protected by natural heritage designations, be they international, national, or local, are important considerations in the planning process and will need to be carefully considered in planning applications.

In their initial consultation response colleagues in Natural Environment Policy (NEP) noted the content of the content of the Species Protection Plan (SPP) but requested the submission of an updated Bat Survey. This document concluded that a bat mitigation licence (from NatureScot) would be required prior to the commencement of development, 2 bat boxes should be erected within 100m of the site, so that any bats found could be safely relocated, contractors should be made aware of the potential presence of bats, a licenced bat worker should be present for any works within 5m of a known bat roost, and alternative bat roosts are accommodated by maintaining two external bat boxes after work has completed. It is also proposed to insert a condition requiring the submission of a full landscaping plan that should be implemented.

The above SPP was reviewed and considered to be acceptable to colleagues in NEP. A condition is recommended to be applied to any approval to ensure that works are undertaken in accordance with the recommendations of this assessment. Subject to the above the proposals would comply with Policy NE8 (Natural Heritage) of the ALDP.

### **Trees and Woodland**

Policy NE5 notes a presumption against all activities and development that will result in the loss of, or damage to, trees and woodland that contribute to nature conservation, landscape character, local amenity or climate change adaptation or mitigation. In addition, the Town and Country Planning Scotland Act 1997 (as amended) advises that there is a duty on the Planning Authority to ensure, whenever it is appropriate, that in granting planning permission for any development

adequate provision is made, by the imposition of condition, for the preservation or planting of trees.

In relation to the above, a Tree Survey and Management Brief was submitted in support of the application. This report concluded that 12 trees were proposed for removal as they were either in a poor condition or pose an unacceptable risk to persons or property and that a number of trees would need to be crowned. Colleagues in NEP have reviewed the information as submitted and note that the development has been positioned reasonably sympathetically to avoid significant tree loss or impacts. They consider the level of tree loss to be acceptable; the majority of trees proposed for removal are lower quality and add little to the overall impact of the wider group. They did, however, suggest that the garden/ bike store could be relocated to allow for the retention of three of the trees proposed for removal, which would increase the overall number of trees to be retained and retain a degree of boundary screening between the proposed development and neighbouring properties.

In regards of the above, an updated site plan was submitted to move the bike store/ garden store away from the above-mentioned trees. The information was reviewed by colleagues in NEP and considered to be acceptable. Subject to the implementation of the works as defined in the Tree Survey and Management Brief the proposed development would comply with the general aims of Policy NE5 (Trees and Woodlands) of the ALDP along with its associated SG: Trees and Woodlands.

### **Transport**

Policy T2 advises that *“new development must demonstrate that sufficient measures have been taken to minimise traffic generated and to maximise opportunities for sustainable and active travel”*. In addition, Policy T3 advises *“new development must be accessible by a range of transport modes with an emphasis on active and sustainable transport”*.

The proposal has been reviewed by colleagues in Roads Development Management. In their initial consultation response colleagues in Roads sought clarification on the type of development proposed, noting that a 20 flat development would usually require 30 parking spaces. The proposals are for 13 parking spaces along with 3 electric vehicle parking spaces and one disabled parking space. The above would therefore result in an under provision of parking facilities when assessed against the Transport and Accessibility SG.

Typically, the Planning Authority would require a car club contribution to mitigate against the above under provisions. In this instance the applicants are proposing two internal shared electric vehicles to mitigate against the shortfall in development. This is considered acceptable and would be included within the required legal agreement to ensure that these facilities are provided in perpetuity. Subject to the above, colleagues in RDM are content with the proposed parking arrangements.

In terms of the site access from Cairnlee Road, colleagues in RDM also note that this is not changing, with the new building covering a similar sized footprint to what exists currently. The current arrangement is considered to remain acceptable. Waste storage facilities are also proposed to be on a similar level to what existed previously. The proposal also includes the provision of 8 visitor cycle stands as well as eight lockers for bikes and this arrangement is also considered to be acceptable. The submission of a Green Travel Plan will also be conditioned.

It is noted that the site is located approximately 550m from the nearest bus stop on North Deeside Road, which is more than the recommended 400m. Given the proposals however relate to the replacement of an existing building, which would have had similar issues, it is considered to be acceptable in this instance.

The proposal would therefore not conflict with Policies T2 (Managing the Transport Impact of Development) or T3 (Sustainable and Active Travel) of the ALDP and its associated SG relating to Transport and Accessibility. Similarly, the waste management requirements would be similar to what exists currently, and the proposals would comply with Policy R6: Waste Management Requirements for New Development and its associated SG: Resources for New Development.

### **Drainage/ Flooding**

As per the requirement of Policy NE6 - Flooding, Drainage and Water Quality, a Drainage Statement was submitted in support of the proposed development. The above statement notes that it is proposed to treat and partly infiltrate surface water run-off on site using a surface water soakaway, which would connect to an existing Scottish Water sewer to the west of the site. The statement has been reviewed by colleagues in RDM, who are content with its findings, and have no objection with regards to the drainage or flooding elements of the proposed development. The proposals are considered to comply with Policy NE6 if the ALDP and its associated SG: Flooding, Drainage and Water Quality.

### **Noise/ Air Quality**

In terms of noise and odour, colleagues in EH required the submission of further information in relation to the proposed centralised central heating and ventilation systems and centralised kitchen. The agent responded to this by advising that the heating systems would be located within the northern side of the building, with mechanical ventilation within the building. The kitchen would also be communal for all users of the premises, with the mechanical ventilation designed to deal with this. This information was further reviewed by colleagues in EH. They are content that, as the finalised system is not known, further information could be submitted at a later date. They are content that this information could be controlled via an appropriately worded planning condition. Subject to the insertion of this the proposal would comply with Policy T5 (Noise) of the ALDP and its associated SG: Noise.

In terms of dust management and control, colleagues in EH noted that there is a potential for the development to have an adverse impact on the amenity of nearby residents due to dust associated with each phase of the proposed works (e.g., earthworks/ construction). They have therefore requested the submission of an Air Quality Dust Risk Assessment and a site-specific Dust Management Plan to mitigate against this. They are content that the above matters can be controlled via an appropriately worded planning condition(s). Subject to the insertion of this the proposal would comply with Policy T4 (Air Quality) of the ALDP and its associated SG: Air Quality

### **Carbon Emissions and Water Efficiency**

All new buildings must meet at least 20% of the building regulations carbon dioxide emissions reduction target applicable at the time of application through the installation of low and zero carbon generating technology. Whilst no details have been submitted in this regard, this matter can be controlled via an appropriately worded planning condition to ensure compliance with Policy R7 (Low and Zero Carbon Buildings, and Water Efficiency) of the ALDP and its associated SG.

### **Digital Infrastructure**

All new residential development will be expected to have access to modern, up-to-date high-speed communications infrastructure. The proposal is located within the settlement of Bielside, and a check of the OFCOM website confirms that the site has access to standard and superfast broadband. The proposal would therefore comply with Policy CI1 of the ALDP.

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

1. The requirement for the submission of a CEMP, including how construction traffic will be dealt with has been included within Condition 9 of this consent.

2. The access to the site has been reviewed as acceptable to colleagues in Roads Development Management. The access is not changing and there is no requirement for the provision of additional signage.
3. The Planning Authority would have no control over whether the road had to be closed during construction and this would likely be a civil matter between relevant parties. Likewise, the Planning Authority cannot insist on the road network out with the application site being repaired. It is noted that the applicant is willing to do this, although it would be outwith the scope of this planning application.

### **Matters Raised in Representation**

1. The design of the proposal has been discussed in the above evaluation and is considered to be acceptable.
2. The screening along the northern boundary of the site is proposed to be retained and protected during development so there should be no tree removal in this location. If there is damage, then it is expected to be replaced on a like-for-like basis.
3. Roads matters have been largely discussed in the transport section above, with the access not changing and considered to be acceptable. The Planning Authority would have no control over whether the road had to be closed during construction and this would likely be a civil matter between relevant parties. Likewise, the Planning Authority cannot insist on the road network outwith the application site being repaired.
4. Correct neighbour notification procedures were undertaken, with all properties within 20m of the application site boundary notified of the proposed development.

### **Proposed Aberdeen Local Development Plan**

The Report of Examination does not affect policies in a manner that is relevant to this application. The relevant PALDP policies substantively reiterate those in the adopted ALDP and therefore the proposal is acceptable in terms of both plans for the reasons previously given.

### **RECOMMENDATION**

Approve Conditionally and Subject to Legal Agreement

### **REASON FOR RECOMMENDATION**

Given the character of the surrounding area, it is considered that this proposed development could be satisfactorily accommodated within the site, replacing existing buildings without negatively impacting on the character and appearance of the surrounding area; it would not result in the loss of open space nor constitute over development of the site. Thus, is considered in accordance with Policy H1 (Residential Areas) of the Aberdeen Local Development Plan.

The proposal is considered to have been designed with due consideration for its context, utilising a palette of materials that would be similar to that found within the site and act as an assertive contrast to residential properties found within the surrounding area. The proposals would therefore comply with Policy D1 (Quality Placemaking by Design) and D2 (Landscape).

With regards to the requirements of Policy T2 (Managing the Transport Impact of Development) and Policy T3 (Sustainable and Active Travel) an adequate level of parking would be provided within the site, with the provision of two electric vehicles (which would be controlled via legal agreement) and given the proposal relates to the replacement building is considered to be in a sustainable location.

All other technical matters have been resolved or are to be controlled via appropriately worded planning conditions or the required legal agreement. Subject to these being complied with, the

proposals would also comply with Policies I1: Infrastructure Delivery and Planning Obligations, T4: Air Quality, T5: Noise, NE5: Trees and Woodlands, NE6: Flooding, Drainage and Water Quality, NE8: Natural Heritage, 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 as well as its Supplementary Guidance relating to Planning Obligations, Affordable Housing, Transport and Accessibility, Trees and Woodlands, Flooding, Drainage and Water Quality 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 Woodlands, D1: Quality Placemaking, D2: Amenity, D4: Landscape, R5: Waste Management Requirements for New Development, R6: Low and Zero Carbon Buildings, and Water Efficiency, H1: Residential Areas, H5: Affordable Housing, I1: Infrastructure Delivery and Planning Obligations, T2: Sustainable Transport, T3: Parking and CI1: Digital Infrastructure of the Proposed Aberdeen Local Development Plan.

## **CONDITIONS**

### **(01) DURATION OF PERMISSION**

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason: in accordance with section 58 (duration of planning permission) of the 1997 act.

### **(02) CAR PARKING**

That no units hereby approved shall be brought into use unless the approved areas of car parking, including the proposed EV parking and charging facilities have been constructed, drained, laid-out and demarcated in accordance with drawing No. 168 (L)90003 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.

### **(03) CARBON REDUCTION AND WATER EFFICIENCY**

That the units hereby approved shall not be occupied unless an Energy Statement and Water Efficiency Statement applicable to them 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.

The Energy Statement shall include the following items:

- Full details of the proposed energy efficiency measures and/or renewable technologies to be incorporated into the development; and
- Calculations using the SAP or SBEM methods which demonstrate that the reduction in carbon dioxide emissions rates for the development, arising from the measures proposed, will enable the development to comply with Policy R7 of the Aberdeen Local Development Plan 2017.

The Water Efficiency Statement shall include details of all proposed water saving technologies and techniques, along with evidence that the required BREEAM standard has been achieved.

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.

#### (04) LANDSCAPING SCHEME

That no works in connection with the development hereby approved shall take place unless a scheme of hard and soft landscaping works has been submitted to and approved in writing by the Planning Authority.

Details of the scheme shall include:

- i. Existing landscape features and vegetation to be retained.
- ii. The location of new trees, shrubs, hedges, grassed areas and water features
- iii. A schedule of planting to comprise species, plant sizes and proposed numbers and density.
- iv. The location, design and materials of all hard landscaping works including [walls, fences, gates, street furniture and play equipment].
- v. An indication of existing trees, shrubs and hedges to be removed.
- vi. A programme for the completion and subsequent maintenance of the proposed landscaping.

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of the development or such other date as may be agreed in writing with the Planning Authority. 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.

In addition, prior to the commencement of the implementation of the approved scheme, detailed proposals for a programme for the long-term management and maintenance of all the approved landscaped and open space areas within the development shall be submitted for the further written approval of the Planning Authority. Thereafter, all management and maintenance of the landscaped and open space areas shall be implemented, in perpetuity, in accordance with the approved programme."

Reason: To ensure the implementation of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area and to ensure that the landscaping is managed and maintained in perpetuity.

#### (05) TREE PROTECTION MEASURES

That no development shall take place unless a plan showing those trees to be removed and those to be retained and a scheme for the protection of all trees to be retained on the site and immediately outwith the site during construction works has been submitted to, and approved in writing by, the Planning Authority and any such scheme as may have been approved has been implemented in its entirety.

Reason: In order to ensure adequate protection for the trees on site during the construction of the development.

#### (06) STORAGE OF MATERIALS

That no materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in the aforementioned scheme of tree protection without the written consent of the Planning Authority and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks.

Reason: in order to ensure adequate protection for the trees on site during the construction of the development.

#### (07) CYCLE PARKING FACILITIES

That the development hereby granted planning permission shall not be brought into use unless the cycle storage facilities as shown on drawing no. 168 (L)90003 have been fully installed and made available for use.

Reason: in the interests of encouraging sustainable travel, as required by Policy T3 (Sustainable and Active Travel).

#### (08) RESIDENTIAL TRAVEL PACK

That no residential unit hereby approved shall be occupied unless a residential travel pack, aimed at encouraging use of modes of transport other than the private car, has been submitted to and approved by the Planning Authority. Thereafter the pack shall be provided to each property on occupation.

Reason - In order to encourage use of more sustainable modes of transport.

#### (09) CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN

That development (including site stripping, service provision or establishment of site compounds) shall commence on site until a site-specific Construction Environmental Management Plan(s) has been submitted to and approved in writing by the Planning Authority. The CEMP must address the following issues (i) site waste management including details of re-use on-site and off-site disposal of demolition materials and (ii) how construction vehicles are to enter and exit the site along with how any damage to the surrounding road network would be repaired should damage occur. Thereafter development shall be undertaken in accordance with the approved CEMP.

Reason - In order to minimise the impacts of necessary demolition / construction works on the environment.

#### (10) DUST MANAGEMENT PLAN

That no development (including site stripping or service provision) shall take place unless a Dust Management Plan (based on the outcomes of the Air Quality Dust Risk Assessment) for the construction phase of development has been submitted to and approved in writing by the planning authority in consultation with colleagues in Environmental Health. This site-specific Dust Management Plan must include in detail the necessary control measures to be implemented for each phase of the proposed works (demolition, earthworks, construction), an example of the monitoring protocol and schedule to be implemented on-site, and the responsible person for dust control on-site. Thereafter development (including demolition) shall be undertaken in accordance with the approved plan.

Reason - In order to control air pollution from dust associated with the construction of the development in accordance with Policy T4 - Air Quality.

#### (11) AIR QUALITY ASSESSMENT

That no development (including site stripping or service provision) shall take place unless an Air Quality (Dust) Risk Assessment is carried out by a suitably qualified consultant in accordance with the Institute of Air Quality Management document "Guidance on the Assessment of Dust from Demolition and Construction" 2014 and thereafter submitted to and approved in writing by the Planning Authority in consultation with colleagues in Environmental Health. Thereafter development (including demolition) shall be undertaken in accordance with the approved document.

Reason - In order to control air pollution from dust associated with the construction of the development in accordance with Policy T4 - Air Quality.

#### (12) FINISHING MATERIALS

That no development, beyond foundation level, shall take place on the hereby approved building unless a scheme detailing all external finishing materials to the roof and walls of such building has been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be finished in accordance with the approved scheme.

Reason - In the interests of visual amenity.

#### (13) BAT SURVEY COMPLIANCE

That the development hereby approved shall not be implemented unless the proposed mitigation measures as specified in the submitted Bat Survey (Ref: 220211-01 dated 6<sup>th</sup> June 2022) are implemented in their entirety, unless otherwise agreed in writing by the Planning Authority.

Reason: In the interests of protecting and enhancing the biodiversity of the environment.

#### (14) HEATING AND VENTILLATION SYTEMS

That no development (including site stripping or service provision) shall take place unless finalised details of the proposed heating and ventilation systems for the proposed development are submitted to and approved in writing by the Planning Authority in consultation with colleagues in Environmental Health. For avoidance of doubt this information could include manufacturers specifications or the requirement for a full Noise Impact Assessment, dependant on the system proposed.

Reason: In the interests of residential amenity.

#### **ADVISORY NOTES FOR APPLICANT**

1. To protect the amenity of the occupants of existing nearby residential properties, 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 and Saturday 0800 hours to 1300 hours.

2. Due to the presence of bats within the surrounds, which are a European protected species, the applicant will be required to obtain a licence prior to any works commencing on site. Nature Scot Licensing Team will be able to issue you with your licence providing the bat survey accompanying your approved planning application is less than 18 months old and you are able to follow the mitigation and compensation measures outlined in the bat survey report. To issue your licence NatureScot will need the following information: the likely start and finish date of the works, your name, postal address and email address and the name, postal address and email address of the ecologist or bat consultant that you will be using and to whom you wish a copy of your licence to be sent. To obtain your licence please contact NatureScot Licensing Team either by telephone or email giving your planning reference and site address. Tel: 01463 725364 Email: [Licensing@nature.scot](mailto:Licensing@nature.scot).
3. In terms of Condition 14, the applicants should contact colleagues in Environmental Health directly prior to the submission of the required information to agree the full scope of the required works.