

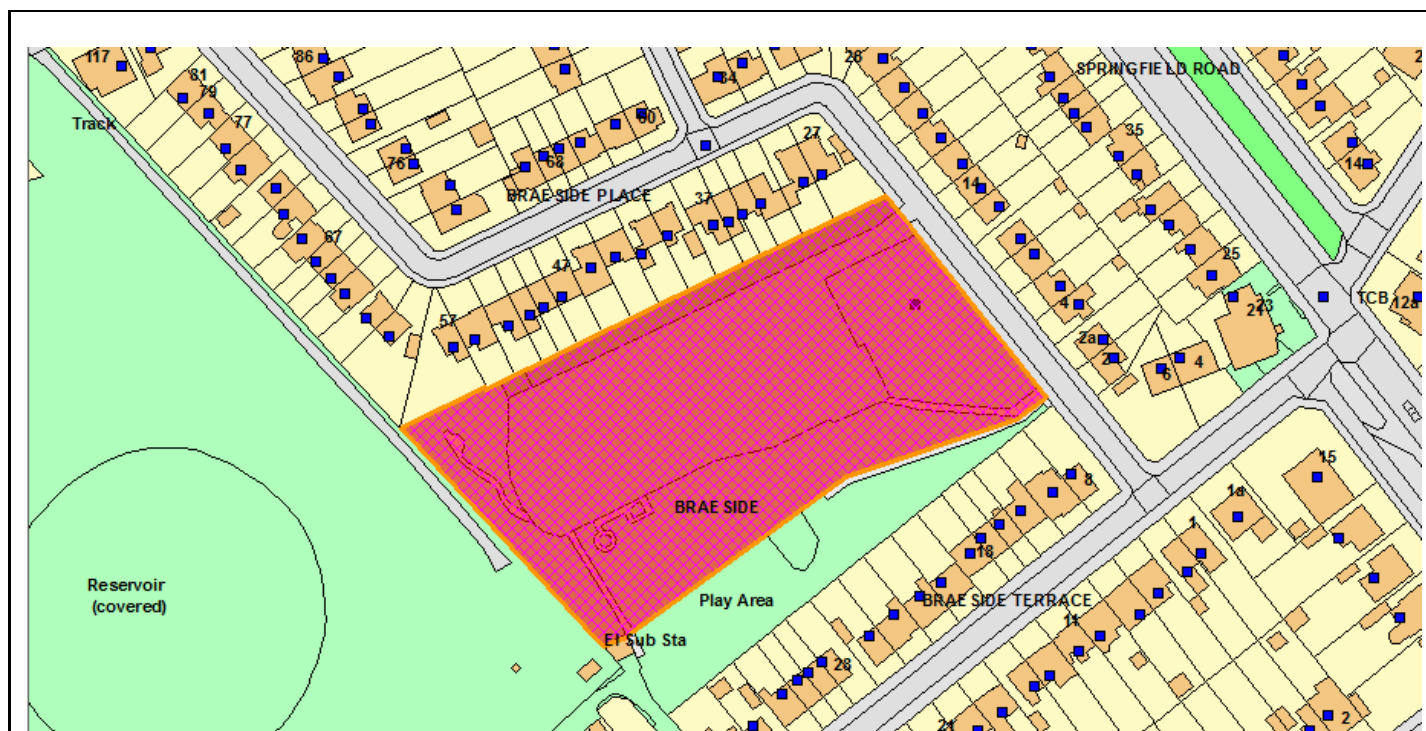


Planning Development Management Committee

Report by Development Management Manager

Committee Date: 25 May 2023

Site Address:	Former Braeside Primary School, Braeside Place, Aberdeen, AB15 7TX
Application Description:	Erection of 30 affordable residential units with associated infrastructure and open space
Application Ref:	221310/DPP
Application Type	Detailed Planning Permission
Application Date:	2 November 2022
Applicant:	Malcolm Allan Housebuilders Limited
Ward:	Airyhall/Broomhill/Garthdee
Community Council:	Braeside And Mannofield
Case Officer:	Matthew Easton



© Crown Copyright. Aberdeen City Council. Licence Number: 100023401 - 2018

RECOMMENDATION

Approve Conditionally Subject to Legal Agreement

APPLICATION BACKGROUND

Site Description

The application relates to an area of vacant ground which was formerly occupied by Braeside Primary School, located within the residential area of Airyhall. The site extends to 1.04 hectares and comprises areas of grassland and gravel. The central area of the site is flat, with a long, gradual slope down to the south of the site, and a slope down from west to east.

The northern boundary is shared with the rear gardens of 1½ storey semi-detached homes at 27 to 57 Braeside Place. The eastern boundary also faces directly onto Braeside Place, with further homes of that style relating to 2 to 16 Braeside Place on the opposite side of the street.

Immediately to the south of the site is a playpark, separated from the site by a post and wire mesh fence. Beyond the playpark are the rear gardens of predominately 1½ storey homes at 8 to 38 Braeside Terrace. There is an electricity substation on the boundary of the south west corner of the site. The west boundary of the site comprises a wire mesh fence beyond which is the grass covered Airyhall Distribution Service Reservoir, operated by Scottish Water.

There are 42 trees on the site and four overgrown areas of hedges. The majority of the trees (26) and the most mature are found along the southern boundary beside the play park, with ten remaining trees mostly located towards the western boundary and the remainder dispersed throughout the site. Small areas of hedges are located on the east side of the site and on the west.

Relevant Planning History

Braeside Primary School was last used for educational purposes in 2014, accommodating pupils from the Hamilton School and Kaimhill School prior to that. The school extensions were latterly used as educational office space, and the former school was occasionally used as a polling station. Following the cessation of these uses, the school was demolished in 2021, the site cleared and subsequently marketed as a development opportunity by Aberdeen City Council in its capacity as landowner.

APPLICATION DESCRIPTION

Description of Proposal

Detailed planning permission is sought for the erection of 30 affordable residential units with associated infrastructure and open space. The development would be provided as social housing for rent, operated by Grampian Housing Association.

The development would comprise twenty 3-bedroom houses and ten 4-bedroom houses. They would be arranged in six sets of three-terraced units; four sets of semi-detached units; and one set of four-terraced units.

The site would be laid out with houses fronting onto Braeside Place; backing onto the western boundary; and on the northern boundary a mix of houses backing onto adjoining rear gardens on Braeside Place and houses fronting west and east. Existing green space and trees are retained and enhanced along the southern site boundary, where a water main wayleave exists.

There would be five house-type designs, all of which would be two storeys. The house types would be relatively simple in style, with gable features being emphasised through the use of projecting elements and contrasting materials. Five of the houses would have an additional single-storey side element to accommodate a ground floor bedroom to permit accessibility for residents with mobility issues. Each house would have its own private rear garden. The buildings would be finished in white dry-dash render; grey concrete roof tiles; grey PVCu windows and doors. Three of the house types would feature areas of fibre-cement cladding in a grey green colour.

The site would be accessed from a new junction onto Braeside Place, with a new street leading through the development and parking provided in six areas at right angles to the street. A total of 43 parking spaces would be provided, four of which would be accessible spaces. Two spaces would be allocated for electric vehicle charging, with a fully equipped charging point installed as part of the proposals.

Footpaths would be provided to connect into the pavements on Braeside Place, throughout the development, and connecting into the play park and core path at the south west corner of the site.

Twelve trees and four hedge groups would be removed to allow for the development to take place. Three further dead or dying trees would also be removed. A hedge along the northern boundary of the site would have section removed but otherwise would largely be retained.

A detention basin would be provided at the entrance to the site as part of the drainage strategy. Areas of landscaping, with trees and hedges would be provided throughout the development.

To facilitate the development, Braeside Place, which is currently a one-way street for all traffic, would be switched to a two-way street for cyclists only, with the one-way restriction retained for vehicular traffic. Parking controls would also be applied on Braeside Place, on the stretch between the new junction into the site and Braeside Terrace to the south. This area was previously subject to 'no waiting' traffic restrictions when in use as a school.

Amendments

In agreement with the applicant, the following amendments were made to the application –

- Number of parking spaces increased from 34 to 43;
- Parking space for drainage pond maintenance provided;
- Plots 3, 4 and 5 moved back slightly from pavement on Braeside Place;
- Plots 10 to 15 re-orientated and/or moved to increase distance from existing residential properties that share northern boundary;
- Adjustments made to footpath routes and road geometry throughout the development;
- Area of hedge along northern boundary to be retained rather than removed;
- Cycling contra-flow proposed on Braeside Place; and
- Parking controls proposed on Braeside Place.

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=RKNSXZBZKZN00>

- Design Statement (including addenda);

- Explanatory Report and Ground Investigation Report;
- Geo-Environmental Desk Study Report;
- Planning Statement;
- Preliminary Ecological Appraisal Report;
- Supporting Statements from Grampian Housing Association;
- Transport Statement;
- Tree Survey Report.

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because it is being recommended for approval and:

- more than five representations objecting to the proposals have been made; and
- the community council for the area has objected to the proposals.

CONSULTATIONS

ACC - Developer Obligations – Developer obligations are required to address the following matters:

- **Primary Education** – The application site is within the catchment area for Airyhall Primary School. Factoring the proposed dwelling units into the 2020 school roll forecast shows that the development will not result in capacity of the school being exceeded.
- **Secondary Education** – The application site is within the catchment area for Hazlehead Academy. Factoring the proposed dwelling units into the 2020 school roll forecast shows that the development will result in a maximum additional over capacity level of three pupils. A contribution of £7,905 is required.
- **Healthcare** – A contribution (£18,464) will be required towards internal reconfiguration works to increase capacity at Great Western Medical Practice (nearby on Seafield Road) or other such healthcare facilities serving the development, as existing facilities in the vicinity of the development are currently operating at or over capacity.
- **Community Facilities** – A contribution (£58,512) has been identified towards Airyhall Community Centre and Library which has plans in place for improvements to parking and accessibility arrangements, Lock and Leave facilities access to increase capacity for more use out of normal staff hours and additional outside storage and mezzanine space.
- **Open Space** – There is no play area identified and this will be met by existing provision. In this instance a contribution (£5,856) is sought to offset the impact of these proposals on that existing space by enhancing the play area to the immediate south of the site.
- **Sport and Recreation** – No contribution has been identified by Sport Aberdeen towards sports and recreation.
- **Core Path Network** – In this instance, a connection from the south west corner of the site is included as part of the development to link to Core Path 67 (Rocklands Road) eastward through the site to Braeside Place. No further contribution has therefore been identified.

ACC - Environmental Health – No objection. The geo-environmental investigations did not discover ground conditions that are likely to pose a significant risk to the development. However, occasional anthropogenic material was identified within near surface made ground (demolition arisings). It is proposed to screen-out less desirable anthropogenic materials during the first stage of site works so that the uppermost 600mm from finished ground levels is free from significant foreign debris. The report states that *“A validation exercise will be undertaken, and the findings will be presented to verify that the recommendations have been undertaken.”* The service would recommend that the following records are retained: photographic, earthworks cut and fill, topographical survey levels and waste disposal certificate(s).

ACC – Housing Strategy – There are concerns about the 4 bed, 6 person units. These should be 4 bed, 7 person as an absolute minimum to allow housing need and demand from the existing waiting lists to be met and to allow future housing need and demand to be met. There is a requirement for larger family homes, even beyond 4 bed units, so they need to be maximised to allow the greatest flexibility possible. Ideally, should be 8 person, so 7 person is very much a compromise.

When it comes to funding the project through the Affordable Housing Supply Programme, those homes that meet housing need and demand will always be prioritised first so if there are developments that are providing what ACC require, these will take priority over those which don't. This is something that perhaps the developer has not considered.

The Council's Strategic Housing Investment Plan (SHIP) is updated annually, and the Braeside site will be included in the next iteration which is due in October 2023.

ACC - Roads Development Management Team – No objection.

Site Accessibility

- The site would be accessed by pedestrians and cyclists by the site access from Braeside Place. The footways surrounding the site are adopted and of generally good standard and are noted by the applicant as being 2m wide.
- It is proposed to form an additional pedestrian access to the site in the southwest which will lead to the existing playpark. This will also be 2m wide and will provide an east to west link within the site.
- The site is considered to have good accessibility by walking. The applicant has provided walking isochrones of 400m, 800m and 1600m which show that a variety of amenities including a medical practice, community centre, schools and shops are within suitable walking distances. The majority of walking trips to and from the site will likely utilise Springfield Road where there are existing pedestrian facilities including controlled and uncontrolled crossing points.
- Cycling in the area is mainly on street. The applicant has provided cycling isochrones which show that large proportions of the city are accessible in standard cycling distances. The Deeside line and the Westhill cycle path are within accessible cycling distance of the site and provide safe and convenient links for commuting and leisure cycling to various locations.

Braeside Place is one way which cyclists would have to adhere to. This means any cyclists leaving the site to head north would have to first head south towards Braeside Terrace. Likewise, cyclists returning to the site from the south (Deeside Way etc.) would have to travel north passed the site to Craigton Road before making their way south and into the site. This adds a level of convolvement and minor extra distance for certain trips to and from the site by

bicycle. Given Braeside Place is a quiet residential street access to the site by bicycle would be improved by the introduction of contra-flow. This would permit cyclists to travel in either direction thus removing the convoluted route. The applicant has agreed to providing the contra-flow, which would require new signs and implementation of a traffic regulation order (TRO) to modify the existing one-way restriction (rather than any physical separation of traffic).

Overall, access to the site by bicycle is considered acceptable.

- The site is considered to be adequately served by public transport.
- Details of safe routes to school have been provided in the Transport Statement. These should be provided in a Residential Travel Pack (RTP) which should be issued to all residents. The travel pack should focus on the promotion of sustainable means of transport over single occupancy vehicle trips. The developer should liaise with the Council during preparation of the RTP.

Local Road Network

- The applicant has provided a People Trip Assessment using the TRICS online database with the categories “residential” and “affordable/ local authority houses”. Sites within “Greater London” and “Southeast” regions were excluded from the analysis. Only sites classified as “Suburban Location” and “Edge of Town” were selected. This approach is acceptable.

The TRICS assessment has indicated the proposed site would generate around 35 and 45 two-way people trips during the identified weekday development AM (morning) and PM (evening) peak hours. Using Scottish census data estimates for modal share of these trips has been provided by the applicant. This indicates in the AM there will be 21 two-way private vehicle trips in the AM and 25 two-way vehicle trips in the PM peak hours. As this is a brownfield site, previously a school, the expectation would be that the traffic generation of the new site to be similar if not less than the proposed.

- The applicant has provided details of three road incidents that have occurred within proximity of the site. This information has been reviewed and it is agreed that there is no road safety concern on the local network around the site.

Site Access Junction

- A single access is being proposed to the development. This is in line with ACC standards which stipulate developments of 0–49 dwellings require a single access.
- All vehicles entering the site will have to do so by turning right on Braeside Place. Braeside Place is subject to a one-way restriction operating in southerly direction. Vehicles exiting the site will also have to turn right to comply with this restriction. The access junction would be required to be designed and constructed to ACC standards.
- The applicant has provided visibility splays at the new site junction which demonstrate that the required 2.4m x 40m visibility splay can be achieved. The change to the junction radius (from a 5m to 8m radius) to accommodate the vehicle swept paths is acceptable.
- The existing School-Keep-Clear markings will be required to be removed.

Site Layout

- After various amendments the layout is acceptable.
- The applicant has shown swept path analysis which shows that a waste collection vehicle and fire appliance can enter the site in forward gear and suitably turn within the site so as to exit in a forward gear. However, they also show that there are many locations in the site where if vehicles were to park, they would impede the movement of vehicles within the site. As such the applicant will be required to apply for a Traffic Regulation Order to introduce 'At any time' waiting restrictions (double yellow lines) within the development. These would be required –
 - at the entrance junction (junction protection).
 - at various section of the road within the site; and
 - on the western side of Braeside Place from the junction of the proposed development southwards to existing restrictions at the junction with Braeside Terrace.

Parking

- The site is in the outer city area in terms of parking standards and not in a controlled parking zone. The applicant initially applied the standard of 0.8 spaces per unit as per the Transport and Accessibility Supplementary Guidance for housing association/social housing in the outer city. It should be noted that parking standards for residential developments are guidelines only.

During scoping for this application, ACC Roads raised concerns that allocating less than one parking space for 3- and 4-bedroom properties, even if categorised as affordable, would likely lead to overspill parking occurring in the surrounding streets. It was suggested to the applicant during that this was reviewed but the level proposed has remained the same on submission.

The applicant subsequently compiled a list of eleven other sites where ACC Roads have accepted the 0.8 parking standard for different developments. This is not seen as a material point as each application is considered on its own merits and specific circumstances. As the applicant notes themselves, these applications include a mix of dwelling types, they have different geographical locations, layouts and constraints. Therefore, they cannot be considered directly comparable and do not set a precedent for future applications.

A revised parking layout which proposes 43 parking spaces (increased from 34) has been submitted and reviewed. This was discussed with colleagues in the Traffic Management Team, and it has been concluded that this is a figure that could be accepted. There may still be some overspill parking as a result of this development but the proposed 43 spaces on site will limit this.

- The applicant has commented that all end-on parking bays will have dimensions of 2.5m x 5.0m and all disabled bays will include 1.2m wide delineated access zones and that driveway spaces will comply with ACC driveway standards, which is acceptable.
- No specific cycle parking has been provided but there is suitable space in the curtilage of each property for storing bicycles.
- The position of the EV charger is noted and is acceptable.

ACC - Schools Estates Team – The site falls within the school catchment areas for Airyhall School and Hazlehead Academy. There is sufficient available capacity within Airyhall School to accommodate the numbers of pupils expected to be generated by the proposed development.

However, there is insufficient capacity at Hazlehead Academy, and so a contribution from the developer would be required, to assist with the cost of reconfiguring the existing building to create the additional capacity, or with the cost of constructing a new replacement building, should this go ahead.

ACC - Waste and Recycling – Object to the application. There is a dead-end road proposed, however our safety policy requires our collection vehicles to be in a forward gear at all times.

Braeside and Mannofield Community Council – Object to the application for the following reasons –

1. The new homes would be overlooked on the north side by houses in Braeside Place, reducing privacy for the future occupants.
2. The proposed layout and two-storey homes, which would have parking provided at a rate of 0.8 spaces per unit are not in character with the existing 1½ storey granite homes in the surrounding area, which typically have parking for one or two vehicles.
3. The construction of an additional 30 houses, alongside those proposed for the nearby Treetops site, would lead to an overdevelopment in the area, placing additional burdens on local services such as Airyhall Primary School; Hazlehead Academy; the doctors' surgery, dentists and community groups.
4. Construction vehicles will require access to the site and must travel along the length of Braeside Place, negotiating the two tight 90-degree bends and potential for turning manoeuvres on the street to access the site.
5. Once the development is complete, the increase in vehicular traffic would have the potential to compromise the safety of other road users and pedestrians.
6. The new junction into the development would be in close proximity to the entrance of the childrens' play area. Drivers checking that vehicles are not approaching from their left will fail to see children emerging from the park entrance on their right.
7. The lack of parking provision will lead to overflow parking on Braeside Place and adjoining streets, further restricting access and disrupting the flow of traffic. This will also result in risks to pedestrians crossing the street from behind parked vehicles.

NatureScot – Agree with the conclusions of the Council's habitats regulations appraisal.

Scottish Water – No objection to the application.

In terms of water supply, the proposed development would be fed from Invercannie Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity currently so to allow a full appraisal it is suggested that the applicant completes a Pre-Development Enquiry and submits to Scottish Water.

There is currently sufficient capacity for a foul only connection in the Nigg Waste Water Treatment works to service the development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to Scottish Water.

The applicant should be aware that Scottish Water are unable to reserve capacity at water and/or waste water treatment works for their proposed development. Once a formal connection

application is submitted to Scottish Water, after full planning permission has been granted, the availability of capacity at that time will be reviewed and the applicant advised accordingly.

For reasons of sustainability and to protect customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into the combined sewer system.

REPRESENTATIONS

104 representations have been made to the application, all objecting to the development.

The matters raised are summarised below –

Principle

1. The site should instead be used for alternative uses (urban green space; a new school or nursery; community hub; social space for charities or other groups; sheltered housing; accommodation for disabled people)
2. The site was removed from the Strategic Housing Investment Plan (SHIP) and therefore the proposal should not be considered for planning approval.
3. Why are houses required when others are being built at Countesswells?
4. Braeside is a quiet area which is why many will have selected to purchase housing here for a premium price. The area is quiet and not suitable for housing.
5. The greenspace in the area is slowly being eroded due to development.
6. The development will probably reduce the value of surrounding properties.

Housing Tenure

7. Affordable housing is welcomed.
8. Only 25% of the units should be affordable, rather than 100%. The proposal should be for a mix of affordable and mainstream housing, rather than only the affordable housing from the Treetops site. There is no reason the affordable housing cannot be provided at Treetops.
9. The creation of a non-mixed socio-economic community is contrary to Scottish Planning Policy. Airyhall is not the area for putting in families in poverty.
10. The proposed unit sizes and types are proposed to maximise the income of Grampian Housing Association and allow tenants to gain an advantage over those in more need.

Community Infrastructure

11. The primary school and nursery (Airyhall) and secondary school (Hazlehead) are at capacity and the only way to accommodate additional pupils would extend or provide temporary accommodation.
12. The doctors surgery on Seafield Road is already struggling with the number of patients.

13. Dentists are at capacity.
14. There is pressure on the community centre. The area lacks suitable leisure spaces and community facilities both inside and outdoor for children and young people
15. There are only two childminders in the area, and they are always full.

Layout and Design

16. The Local Development Plan states that any development at Braeside must respect the neighbouring properties and be in keeping with the area, however the houses will not look like the existing houses in the area. At two storeys, the proposed houses would be taller than those in the surrounding area which are predominantly 1½ storey and the now demolished school which was one storey. The houses would dominate their surroundings, with neighbours feeling overlooked. 1½ storey units would be more suitable.
17. The proposed houses along the northern boundary would back onto the gardens of homes on Braeside Place. The gable ends of some of the new houses would be hard up against the boundary, resulting in a loss of privacy, sunlight and general amenity. Greater separation should be provided with the existing landscaping strip retained to the benefit of existing and new residents.
18. The density of development is too great given the constraints of the site. If there were less houses being built, they could have larger rooms, instead of what looks like little boxes on the plan.
19. The houses have too many bedrooms.
20. Most of the houses have two floors, which would not be suitable for those with physical disabilities. It is great the developers are thinking of the disabled but why is the bedroom on the ground floor, they should have access to the whole house and not just the ground floor making them second class citizen in their own home.
21. Lack of daylight and sunlight will affect some of the new houses due to the size of the trees.
22. There would be a loss of light, winter sun and privacy for existing residents.
23. The existing mature landscape strip (hedge) along the northern boundary would be removed and take away privacy for both new and existing houses.
24. The location of the school on the site when built was restricted by the water main.
25. There would be a change in level that must have an impact to existing boundaries with no details of how this will be addressed
26. In time white render would not look good and grey windows will look dated.

Transport

27. Braeside Place is a one-way street and not capable of accommodating additional traffic, would not cope with additional traffic resulting in noise, pollution and congestion.

28. There is insufficient parking provision in an already busy street, that struggles to accommodate the demand that currently exists. It is likely that some houses will have more than one car. The result would be parking on surrounding streets. There is no capacity on Braeside Place for overspill parking due to it being narrow and each home having a driveway.
29. The access road to the development would be adjacent to the play park entrance and would risk the safety of children.
30. Having one vehicular access point, would require waste collection vehicles to reverse, which is against their policy.
31. Electric vehicle charging points would not be enough for future requirements.
32. The existing bus routes would not easily serve the new site.
33. Better pedestrian crossing facilities are already needed.

Drainage

34. Scottish Water will not accept the drainage from the site to their existing system, so there is nowhere for drainage to safely go without endangering neighbouring properties.
35. The development will place further strain on the water and sewerage systems. This is an open sustainable urban drainage system (SUDS) pond is proposed to handle excess surface water, which could potentially increase likelihood of localised flooding. The proposed SUDS pond looks nice but what about health and safety for the children, dogs, cats and foxes. Who would be responsible for the maintenance after the developers have long gone. Don't want stagnant water.

Natural Heritage

36. There is now an abundant amount of new wildlife on the old grounds which would have to properly assessed before any construction work could go ahead. With the added destruction of existing trees and shrubs there would be more harm to the wildlife and biodiversity in the area.
37. The existing mature landscape strip (hedge) would be removed which would be harmful to existing birds and wildlife population that use it.
38. It is not necessary to remove tree group A, or trees 2, 3, 4 and 5 as they are not in the way of development. Why replace mature trees with saplings.

Other

39. Has the effect of the development on the adjacent reservoir been fully considered? Previous planning applications have been refused and restricted due to major pipes running under the site. Safety guarantees should exist to ensure that Scottish Water assets are not damaged by the development.
40. Construction traffic management would cause disruption.

41. As the development is next to a children's park, the site must be secure out of hours.

Administrative

42. The extent of the neighbour notification carried out was not sufficient.

MATERIAL CONSIDERATIONS

Legislative Requirements

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where making any determination under the planning acts, regard is to be had to the provisions of the Development Plan; and, that any determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

The Conservation (Natural Habitats, &c.) Regulations 1994 requires that all competent authorities (in this case the Council) must consider whether any plan or project could affect a European site before it can be authorised or carried out. This includes considering whether it will have a 'likely significant effect' on a European site, and if so, an 'appropriate assessment' (AA) must be carried out. This process is known as Habitats Regulations Appraisal (HRA).

Development Plan

National Planning Framework 4

National Planning Framework 4 (NPF4) is the long-term spatial strategy for Scotland and contains a comprehensive set of national planning policies that form part of the statutory development plan. The relevant provisions of NPF4 that require consideration in terms of this application are –

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 3 (Biodiversity)
- Policy 6 (Forestry, Woodland and Trees)
- Policy 9 (Brownfield, Vacant and Derelict Land and Empty Buildings)
- Policy 12 (Zero Waste)
- Policy 13 (Sustainable Transport)
- Policy 14 (Design, Quality and Place)
- Policy 15 (Local Living and 20 Minute Neighbourhoods)
- Policy 16 (Quality Homes)
- Policy 18 (Infrastructure First)
- Policy 22 (Flood Risk and Water Management)
- Policy 24 (Digital Infrastructure)

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. The ALDP is beyond this five-year period.

The following policies are relevant –

- Policy D1 (Quality Placemaking by Design)
- Policy D2 (Landscape)
- Policy H1 (Residential Areas)
- Policy H3 (Density)
- Policy H5 (Affordable Housing)
- Policy CI1 (Digital Infrastructure)
- Policy CF1 (Existing Comm Sites and Facilities)
- Policy I1 (Infrastructure Delivery and Planning Obligations)
- Policy NE4 (Open Space Provision in New Development)
- Policy NE5 (Trees and Woodland)
- Policy NE6 (Flooding, Drainage and Water Quality)
- Policy NE9 (Access and Informal Recreation)
- Policy R2 (Degraded and Contaminated Land)
- Policy R6 (Waste Management Requirements for New Development)
- Policy R7 (Low and Zero Carbon Buildings, and Water Efficiency)
- Policy T2 (Managing the Transport Impact of Development)
- Policy T3 (Sustainable and Active Travel)

The ALDP also identifies the site as an opportunity site (OP39) which is described as a *“Former school site with potential to be redeveloped for residential use in future. In the meantime, the school can be used to house primary pupils from the Countesswells development pending the development of a primary school there. Development will have to respect residential amenity within and surrounding the area. The Council will seek the retention of the playpark in its current location to the south of site OP39.”*

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. All the recommendations within the Report have been accepted and the modifications made to the PALDP were agreed by Full Council on 14 December 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 the relevance of these matters to the application under consideration.

The following policies are relevant –

- Policy CF1 (Existing Community Facilities)
- Policy CI1 (Digital Infrastructure)
- Policy D1 (Quality Placemaking)
- Policy D2 (Amenity)
- Policy D5 (Landscape Design)
- Policy H1 (Residential Areas)
- Policy H3 (Density)
- Policy H4 (Housing Mix and Need)
- Policy H5 (Affordable Housing)
- Policy I1 (Infrastructure Delivery and Planning Obligations)
- Policy NE3 (Our Natural Heritage)
- Policy NE4 (Our Water Environment)

- Policy NE5 (Trees and Woodland)
- Policy R2 (Degraded and Contaminated Land)
- Policy R5 (Waste Management Requirements in New Developments)
- Policy R6 (Low and Zero Carbon Buildings, and Water Efficiency)
- Policy T2 (Sustainable Transport)
- Policy T3 (Parking)

The Proposed ALDP continues to identify the site as an opportunity site (OP39), now for 59 units and with an updated description which states *“Former school site with potential to be redeveloped for residential use in future. Development will have to respect residential amenity within and surrounding the area. The Council will seek the retention of the playpark in its current location to the south of site OP39. A Habitats Regulations Appraisal is required to accompany development proposals in order to avoid adverse effects on the qualifying interests of the River Dee SAC. As part of this process, it is likely a Construction Environmental Management Plan will also be required.”*

Supplementary Guidance and Technical Advice Notes

- Affordable Housing
- Flooding, Drainage and Water Quality
- Green Space Network and Open Space
- Natural Heritage
- Planning Obligations
- Resources for New Development
- Transport and Accessibility
- Trees and Woodlands

EVALUATION

Principle of Development

General

As a residential use proposed within a residential area as per the zoning in the Aberdeen Local Development Plan (ALDP), the general principle of residential use is acceptable, subject to the criteria set out in relation to Policy H1 below. The opinion has however been expressed in representations that Braeside is a quiet area and not suitable for further housing. Whilst the character of the site will change from a vacant area of ground with no activity to homes that do generate activity, residential use is not considered to be a disruptive use in itself and therefore further homes would be entirely compatible with the surrounding existing residential area (*Issue 4 in representations*).

Other uses exist, around the site, namely the playpark and reservoir. The play park is located adjacent to the southern site boundary and the rear boundaries of housing on Braeside Terrace. Such facilities are commonly found within residential areas. Whilst their use generates activity, it would typically be of a character and intensity of use that would not be expected to adversely affect the residential amenity of residents in the new development. Several of the new houses would face towards the southern boundary, which would offer the benefit of increased natural surveillance over the playpark.

The Airyhall Distribution Service Reservoir is to the immediate west of the site. The reservoir is covered with grass and generates little activity other than routine maintenance by Scottish Water. The proposed development would not compromise the operation of the reservoir and the reservoir would not harm the amenity of future residents. The applicant would be responsible for ensuring the integrity of any Scottish Water assets within and outwith the reservoir site during construction (*Issue 39*). A water main pipe leading from the reservoir runs along the southern section of the site. Its existence is acknowledged by the applicants and the proposed site layout site ensures no buildings are within a 10.4m offset from the pipe. Scottish Water has not objected (*Issue 39*).

Several alternative uses are suggested in representations. However, the planning authority is required to consider the application before it on its own individual merits, rather than potential alternatives that have not been proposed. (*Issue 1*)

Land Use Zoning

The site is within an area where Policy H1 (Residential Areas) of the ALDP applies. Within such areas proposals for new residential will be approved in principle if it (i) does not constitute over-development; (ii) does not have an adverse impact to residential amenity and the character and appearance of an area; and (iii) does not result in the loss of open space.

The first matter is considered later in the report. The second is covered in general terms in the previous section, with the issue of the visual appearance also considered later in the report. The third point does not apply as the site was not open space and the play park beyond the southern boundary would be retained with no encroachment into it by the development (*Issue 5*)

As a site where the last use was a school, Policy CF1 (Existing Community Facilities) of both the adopted and proposed ALDP applies. Both policies state that “*Where land or buildings become surplus to current or anticipated future requirements, alternative uses which are compatible with adjoining uses and any remaining community uses, will be permitted in principle.*” The Braeside site has been declared surplus to the requirements of the Council and has been placed on the open market for alternative uses. The residential use now proposed is compatible with the surrounding residential use and the neighbouring reservoir and playpark uses. Therefore, there is no tension with Policy CF1.

Policy 16 (Quality Homes) of NPF4 states that “*development proposals for new homes on land allocated for housing in LDPs will be supported.*” As a site identified as an opportunity site for residential development in both the current and proposed ALDP, the proposal is supported by this policy.

Brownfield Land

Policy 9 (Brownfield, Vacant and Derelict Land and Empty Buildings) of NPF4 seeks to encourage, promote and facilitate the reuse of brownfield, vacant and derelict land and empty buildings, and to help reduce the need for greenfield development. It goes on to say that “*development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported. In determining whether the reuse is sustainable, the biodiversity value of brownfield land which has naturalised should be taken into account.*”

The Proposed ALDP indicates that “*Regeneration of city centre sites and other brownfield sites throughout the existing built-up area for appropriate uses is encouraged. Brownfield sites are expected to contribute an increasing amount of our housing requirements over the period to 2032*”

The site has been vacant and underutilised for several years and has been identified in the both the adopted and proposed ALDP as an opportunity site for residential development. Whilst concern is raised in representations that because homes are being built at Countesswells, further homes are not required, the ALDP is clear that as well as the development of greenfield sites, the redevelopment of brownfield land is required to meet Aberdeen's housing land requirement. As such the site has been identified in the ALDP for that purpose (*Issue 3*).

The re-use and redevelopment of the Braeside site is therefore lent support by Policy 9 and in general by the adopted and proposed ALDPs.

Local Living and 20-minute neighbourhoods

Policy 15 (Local Living and 20-minute neighbourhoods) of NPF4 aims to “*encourage, promote and facilitate the application of the Place Principle and create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking, wheeling or cycling or using sustainable transport options.*”

Being located within the existing suburban area, the site benefits from being in close proximity to existing public services and public transport. A play park is located immediately adjacent to the site. A dental surgery is located within a 5-minute walk, whereas Airyhall Primary School, Airyhall Community Centre, and Airyhall Library are within a 10-minute walk, as are convenience shops and services on both Countesswells Road and Great Western Road. Robert Gordon University's Garthdee campus, a medical practice, and a nursery are within a 20-minute walk.

The core path network passes the south west corner of the site, providing recreation access to the wider area including Hazlehead Park and the former Deeside railway line. The area is served by several bus routes, with stops located on Springfield Road, Craigton Road and Great Western Road, all within a 5-minute walk from the site, providing access to the city centre and other parts of the city. It is considered that the site is well connected, and its location meets the aims of 20-minute neighbourhood principles (*Issue 32*).

In summary, the principle of redeveloping the site for residential use is acceptable and in accordance with the principles of NPF4 and the adopted and proposed ALDP.

Affordable Housing and Housing Mix

Policy 16 (Quality Homes) of NPF4 indicates that development proposals for new homes will be supported where they make provision for affordable homes to meet an identified need. Proposals for open market homes will only be supported where the contribution to the provision of affordable homes on a site will be at least 25% of the total number of homes, unless the LDP sets out locations or circumstances otherwise.

Policy H4 (Housing Mix and Need) of the Proposed ALDP requires that development of fewer than 50 units, a suitable mix of dwelling types and tenure will be provided in the interests of placemaking and local housing need and demand.

Policy H5 (Affordable Housing) of both the adopted and proposed ALDP require housing developments of five or more units to contribute no less than 25% of the total number of units as affordable housing.

The proposal is for a development of 100% affordable housing units, which it has been indicated will be provided for social rent by Grampian Housing Association, a registered social landlord. On

that basis the proposal meets the requirements of Policy 16 and Policy H5 in terms of affordable housing.

The majority of the housing proposed in this application is to provide off-site delivery of the affordable housing required as part of the development of the former Treetops Hotel site, where 77 residential units are proposed (planning application reference 211528/DPP). The combined affordable housing requirement across the two sites is 26.75 units (25% of 107). Therefore, with the 25% requirement for the 30 units proposed at Braeside being 7.5 units, as a standalone proposal, this application meets the requirements of affordable housing policies, with the proposal exceeding the 25% affordable housing policy requirement on site. Whether provision of the Treetops affordable housing requirement by means of off-site delivery on the Braeside site, or another site is acceptable, is a matter to be considered as part of the Treetops planning application, rather than this application. The Braeside application is being assessed as a standalone development of entirely affordable housing, to be operated by a registered social landlord (*Issue 8*).

In terms of the mix of units, the development would comprise twenty 3-bedroom houses and ten 4-bedroom houses. Within this there would be five house-type designs, which would offer a range of accommodation, providing capacity to accommodate families of between five and eight persons. Five of the units would have an additional single-storey side element to accommodate a ground floor bedroom, which would be suitable for wheelchair users or residents with other mobility restrictions.

The ACC Housing Strategy Team has advised that as many larger properties (capacity 8 persons) as possible should be provided. In the response, the applicant has reviewed the largest of the house types (HT4) which at present can accommodate 7 persons. As a result, the footprint of HT4 has been increased (400mm wider and 500mm deeper) so that it can accommodate 8 persons. However, due to the tight nature of the site, it is only possible to accommodate this enlarged version of HT4 on one of the five plots that HT4 is proposed on. To accommodate it on the remaining four plots would have significant knock-on effect on the layout in terms of addressing other matters such as parking, tree retention and amenity. With the larger version of HT4 now included on one plot, the composition of the development would be 20x five-person houses; 5x six-person houses; 4x seven-person houses and 1x eight-person house.

In a supporting statement, Grampian Housing Association (GHA), has indicated that it has worked closely with the applicant and their design team to create house types which accurately reflect the needs of GHA's client group and to ensure that adequate provision is made for people on their waiting list with physical disabilities.

Given the small nature of the site and the competing requirements in terms of achieving a satisfactory layout, it is considered that the range of house types and sizes provides a suitable mix of units, which would help address the housing needs of the community (*Issue 19 and 20*).

Concerns are raised in representations with the introduction of social housing into the area. Whilst the proposal is for 100% affordable housing, the number of houses proposed is not especially large and, due its modest size, it is considered that it would integrate effectively into the existing residential community. The surrounding residential area of Braeside and Airyhall is relatively large and is entirely open market housing, however both national and local planning policy promote the integration of different tenures of housing to create mixed communities. The location which is close to local services and public transport routes, is considered suitable for affordable housing. There is no reason that social and mainstream housing cannot sit alongside one another (*Issue 9*).

The inclusion of a site within the Council's Strategic Housing Investment Plan (SHIP) relates to funding and delivery arrangements for affordable housing. The absence of the site from the SHIP is not a material planning consideration and does not prevent planning permission being granted. The SHIP is updated annually, and the Braeside site will be included in the next iteration which is due in October 2023 (*Issue 2*).

One representation provides comment on the way in which they believe social housing is allocated to tenants, however this is a matter for the housing association rather than a planning consideration (*Issue 10*).

Density

In the interests of sustainability and efficient use of land, higher density developments are generally encouraged by the ALDP. Policy H3 (Density) requires development to meet a minimum density of 30 dwellings per hectare, but to also have consideration of the site's characteristics and those of the surrounding area and to create an attractive residential environment and safeguard living conditions within the development. With the site being 1.04 hectares and there being 30 units proposed, the proposal is considered to meet the requirement.

Alongside the requirements of Policy H4, the Braeside OP39 site is identified as having capacity for 59 units in the Proposed ALDP. If this number of units were to be accommodated on the site it would be likely to result in a significant impact upon the amenity of adjoining residents, low levels of landscaping and open space within the development and less parking than necessary to serve the development. Although still tight, the 30 units proposed is considered to sit comfortably within the site, with sufficient space provided for buildings, open space, parking, paths and drainage infrastructure (*Issue 18*).

Design, Layout and Amenity

Policy 14 (Liveable Places) of NPF4 seeks to encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the Place Principle. It requires that Development proposals be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. It goes on to say that places should consistently deliver healthy, pleasant, distinctive, connected, sustainable and adaptable qualities, indicating that development proposals will be supported where they are consistent with these six qualities of successful places. Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.

Policy 16 (Quality Homes) of NPF4 seeks to encourage, promote and facilitate the delivery of more high quality, affordable and sustainable homes, in the right locations, providing choice across tenures that meet the diverse housing needs of people and communities across Scotland.

Policy D1 (Quality Placemaking by Design) of the ALDP 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. Well considered landscaping and a range of transportation opportunities ensuring connectivity are required to be compatible with the scale and character of the developments.

Policy D2 (Landscape) requires new developments to be informed by their surrounding and consider existing features in layouts. It also requires hard and soft landscape proposals that is appropriate to the scale and character of the overall development.

The Proposed ALDP introduces a new policy on amenity (Policy D2) which sets out design criteria to ensure high levels of amenity in new developments.

Design and Layout

The layout has been arrived at by considering the constraints of the site, which include the tree belt and a high-pressure water main along the southern part of the site (*Issue 24*), the requirement to take vehicular access from Braeside Place and to locate the drainage pond in the lowest part of the site. The site slopes from north to south and west to east, with the northern boundary sitting between 69m at the reservoir end and 67m at Braeside Place and the southern boundary 66m and 63m respectively.

The proposed layout features a terrace of three houses addressing Braeside Place, whereas the remaining units would sit behind, within the site itself. The units facing Braeside Place provide interaction between the site and the existing street, alongside the drainage basin and landscaping which would sit at the site entrance.

Minimal ground level changes would be required to accommodate the development. The finished floor levels of new houses along the northern boundary would generally sit at the same level as the boundary level or very slightly below. The three new houses facing Braeside Place would also sit at the same level as the street, stepping down as the street slopes southwards. As such there are no concerns with significant changes in ground levels or how new houses would sit alongside existing houses in this regard (*Issue 25*).

All houses would be two storeys. Concern has been raised that two-storey would be inappropriate for the area. Whilst it is accepted that nearly all existing houses in the surrounding area are 1½ storey, this does not preclude the introduction of two-storey houses. None of the new houses would sit directly alongside an existing house, so the slight difference in absolute height between existing and new buildings would not be obvious. The roof ridge line of the new houses compared to the closest existing homes on Braeside Place would vary between being the same height or 0.8m to 1.5m higher than the existing. With Braeside Place and the application site sloping from north to south, notwithstanding that the new houses would be two-storeys, for the most part, the remainder of the roof ridge lines of new houses would be essentially the same as the existing houses along the northern boundary of the site on Braeside Place, many of which have their own two-storey extended elements to the rear. This has been confirmed through cross-sectional drawings submitted as part of the application. The topography of the site would therefore allow the development to sit comfortably within the surrounding area. The 50m distance and intervening tree belt between the southernmost new houses and the existing houses to the south on Braeside Terrace would result in a comfortable relationship between the two (*Issue 16*).

The proposed external finishing materials (white dry-dash render; grey concrete roof tiles; grey PVCu windows and doors, with sections of fibre-cement cladding in a grey green colour) are typical of new build homes and considered acceptable (*Issue 26*).

Policy 23 (Health and Safety) of NPF4 requires development proposals to be designed to take into account suicide risk. There are no features apparent within the development which would increase the risk of suicide occurring.

Each unit would have its own garden, with most having defensible space enclosed by hedges at the front. Paths and parking areas would be overlooked by different properties to provide natural surveillance. A path route would be provided through the development, between Braeside Place and the southwest corner of the site, to link in with the existing core path. The fence between the site and playpark would be removed so the landscaping within the site and park can flow together

as one space, enhancing connectivity and the appearance of the area and providing a pleasant setting for the new houses.

Concern was raised by both the Planning Service and neighbours with the initial layout, due to the proximity of new houses to the rear gardens of existing houses on Braeside Place. The Planning Service considered that the new houses would be in very close proximity to the ends of what are relatively short gardens, which would result in them be overly dominant and adversely affecting the amenity of existing residents in terms of their outlook, with potential implications on daylight. In response the applicant amended the plans to reorientate several units and move others away from the boundary. The closest house (plot 18 in the north west corner) is now 17m away from the rear of the corresponding house at 57 Braeside Place, with a lower single-storey section being 14m away, and it is noted that the property at 57 Braeside Place benefits from a larger rear garden, being a corner plot. No windows would be included on the north elevation of plot 18, eliminating any potential overlooking. The new houses are now considered to be a sufficient distance away from existing houses and gardens

Privacy

Considering privacy in more detail, the window-to-window distance between the new houses facing onto Braeside Place and the existing houses on the opposite side of the street (numbers 12, 14 and 16) is between 19m and 20m, in excess of the 18m minimum considered necessary to ensure privacy.

Along the northern boundary, views between rear windows of respective new and existing houses at ground floor level would be screened by existing and proposed fences. At first floor level, distances between windows vary between 20m and 26m, again exceeding the requirement. In the three instances (plots 5, 13 and 18) where blank gables face north towards the rear of houses on Braeside Place, permitted development rights would be removed by condition to prevent the creation of windows on these gables in future without a further grant of planning permission. Otherwise, new houses on the west boundary would look over the reservoir site and any new houses facing south would be over 50m away from existing houses on Braeside Terrace, with intervening trees also providing a buffer.

Within the site itself, the initial layout was adjusted to address instances where the window-to-window required was not being met between proposed houses.

Daylight

With regards to daylight, all new properties are now far enough away that they would not affect the receipt of daylight within existing houses (*Issue 17 and 22*).

New homes would be orientated and spaced out to receive sufficient daylight, with many having habitable rooms with dual aspects. There is no concern with the proximity of trees to new houses (*Issue 21*).

Overshadowing

The new houses would sit at a slightly lower level than the houses to the north on Braeside Place. This combined with them being a sufficient distance away, means there would be no overshadowing of existing homes. Overshadowing analysis show there would be a very slight overshadowing of ends of existing gardens along Braeside Place during winter mornings, however this is not unusual within a built-up area and is not considered to be significant (*Issue 22*).

Waste

Policy 12 (Zero Waste) of NPF4 seeks to encourage, promote and facilitate development that is consistent with the waste hierarchy. Policy R6 (Waste Management Requirements for New Development) requires all new developments to have sufficient space for the storage of general waste, recyclable materials and compostable wastes where appropriate.

Each property would have space within their gardens to store wheelie bins for different types of waste. Areas are identified outside of properties for bins to be collected. The arrangements are considered acceptable.

The ACC Waste and Recycling Team has indicated that its preference would be for a layout which allowed a refuse collection vehicle to enter and exit the site without having to reverse. Rather than the single junction into the site, which is proposed, this would require two junctions to be created and a continuous road looping through the site. To do this, significantly more space would be required to be given over to road carriageway within the site, reducing the number of units which could be created and making less efficient use of the land. Whilst the ability to enter and exit the site without reversing is preferable, this will not always be possible in smaller sites and needs to be balanced against other matters relating to the layout. Swept path analysis have been submitted which demonstrates that refuse vehicles would be able to satisfactorily turn within the site by carrying out a reversing manoeuvre, which is considered acceptable (*Issue 30*).

In summary, there are no concerns with the proposed development in terms of impact upon the privacy of existing residents or future residents living within the development (*Issue 22*).

Open Space

Policy NE4 (Open Space Provision in New Development) and associated supplementary guidance of the ALDP requires at least 2.8 hectares per 1,000 people of “meaningful” and “useful” open space in new residential development. For a development of the size proposed, this equates to 0.24 hectares of such space.

The proposals show around 0.2 hectares of amenity and landscaped areas along the southern part of the site, although much of this is under the cover of trees and is not functional open space. Notwithstanding, its retention is welcomed as it contributes to the character of the area. It is recognised that on some brownfield sites it may not be possible to increase the amount of open space. In these cases, developer obligations towards off-site provision or enhancement of existing open spaces will be sought instead. In this case contributions are sought for enhancing the adjacent play park.

Policy NE9 (Access and Informal Recreation) indicates that wherever possible, developments should include new or improved provision for public access, permeability and/or links to green space for recreation and active travel.

Core Path 67 (Rocklands Road) passes along the southern edge of the adjacent reservoir and past southwest corner of the site and playpark. It is proposed to provide to link the path network within the site with the core path via a new path. This would provide a path link between Braeside Place and the core path which is welcomed as an improvement to pedestrian permeability in the area.

Climate Change and Nature Crises and Biodiversity

Policy 1 (Tackling the Climate and Nature Crises) of NPF4 requires planning authorities when considering all development proposals to give significant weight to encouraging, promoting and facilitating development that addresses the global climate emergency and nature crisis. Similarly, Policy 2 (Climate Mitigation and Adaptation) encourages, promotes and facilitates development that minimises emissions and adapts to the current and future impacts of climate change. Policy 3 (Biodiversity) seeks the enhancement of biodiversity.

The sustainable location, within the existing suburban area which is close to services and public transport represents development which has the potential to reduce dependence on the private car and in turn carbon emissions.

A Preliminary Ecological Appraisal has been carried out to determine the habitats present on site and whether any protected species are present. The survey determined that the site where the school was previously situated is now an area of hardcore from the building demolitions which is being colonised by annual and short-perennial species. The whole site is species poor, as the rest of the site is improved grassland or stands of amenity shrubs and trees. No evidence of squirrels, badgers or bats were found within the site. There is limited habitat for amphibians and the site is not suitable for reptiles. No invasive species were found on site.

A detailed landscaping scheme would be secured by condition. It would be expected to incorporate features to enhance biodiversity including open, vegetated SUDS, boundary treatments with gaps underneath/or holes and bat/bird boxes. Planting choices for landscaping should include native species and provide a variety of height and texture, which will provide both visual interest and habitat variety. Given the low biodiversity value the site has at the moment it is considered reasonable to expect that the finished development would enhance biodiversity in accordance with Policy 3 (Biodiversity) of NPF4.

In terms of the design of the development, as considered in the Drainage section of the report, the proposal would have regard to climate change through dealing with surface water via a SUDS feature. The site is also not known to be at risk of flooding and the development would not increase the risk of flooding to the site or others.

In terms of the nature crisis, proposed tree and landscaping planting around the site would contribute to enhancing biodiversity, as at present the site has little vegetation and that which is there has a low biodiversity value. The measures described to reduce water usage would help safeguard protected species in the River Dee. These aspects all align with Policy 3 of NPF4, which seeks to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.

Trees

Policy 6 (Forestry, Woodland and Trees) of NPF4 seeks to protect and expand forests, woodland and trees. It goes on to say that Development proposals that “*enhance, expand and improve woodland and tree cover will be supported*” and that “*Development proposals will not be supported where they will result in adverse impacts on native woodlands, hedgerows and individual trees of high biodiversity value*”. Policy NE5 (Trees and Woodland) largely reiterates these aims.

A tree survey has been carried out and identifies that there are 42 trees on the site. The majority of the trees (26) and the most mature are found along the southern boundary beside the play park, with ten remaining trees mostly located towards the western boundary and the remainder dispersed throughout the site.

Twelve trees would be removed to allow for the development to take place. The trees to be removed are generally located towards the west end of the site and range in height between 3m and 9m, with most being 7m. Three further dead or dying trees would also be removed.

The development proposals are outwith the zone of influence of the trees shown to be retained along the southern boundary. The trees shown to be removed to accommodate the proposal are less than 10m in height and under 15cm girth. They are of low landscape quality, and as such, could be easily replaced with appropriate new tree planting. The more substantial trees along the southern boundary, which contribute positively to the character of the area and provide a wildlife corridor foraging habitat for bats and birds, would be retained.

The Council's Natural Environment Policy Team have considered the tree survey, tree protection plan and arboricultural impact assessment and found them to be acceptable. New tree planting to replace trees loss and to enhance tree cover would be secured by a condition requiring a landscaping plan to be submitted. The layout plan shows space throughout the development to do so. Native trees to support local species and enhance biodiversity would be required (*Issue 38*).

In terms of how this relates to biodiversity requirements, no significant trees are to be removed and the planting of new trees would replace the small trees that would be removed, help expand tree cover in the city and increase the capacity to capture and store carbon. The significant trees along the southern boundary of the site would be retained.

Hedges

There are also five bushes/hedge groups within the site. Two of the groups form a hedge which runs along the length of the northern boundary and provided a buffer between the rear gardens of homes on Braeside Place and the former school. The initial proposal was to fully remove the hedge, with concern being raised that this would impact upon wildlife and reduce privacy for existing and new residents.

While it is an intact continuous feature, it is almost entirely comprised of non-native species. The west area of this hedge is more overgrown and has a few amenity tree species. The hedge is around 145m long and forms a corridor across the site from west to east, although it ends at Braeside Place in the east and the reservoir site in the west, reducing its function as a wildlife corridor. The non-native amenity species that comprise the hedge offer very little habitat value, with the exception of cover and some Cotoneaster berries in late winter. Just over half of the hedge (75m) would need to be removed to accommodate footpaths or level changes at the rear of new gardens, although 22m of that would be reinstated with new hedge planting. Otherwise, the retained sections would be reduced back to a width of between 1.0 and 1.5m. Any thin areas or gaps in the hedge would be planted with native hedge species to reinforce it. The extent of removal is considered acceptable given its low biodiversity value. The proposed planting to reinforce it is welcomed, leaving around 91m of the 145m boundary with a hedge along it. Boundary fences would still be provided which would ensure privacy between gardens in combination with the hedge. As described earlier in the report there are no concerns with loss of privacy for existing residents or new residents (*Issue 23*).

The remaining groups of bushes/hedges are in the east and west of the site and would be removed to accommodate the development. They comprise non-native species, are not connected to the other hedging and contribute little to visual amenity. They provide some cover but otherwise have little value for wildlife. Their removal is therefore considered to be acceptable.

Habitats Regulations Appraisal

Policy 4 (Natural Places) of NPF4 states that *“Development proposals that are likely to have a significant effect on an existing or proposed European site (Special Area of Conservation or Special Protection Areas) and are not directly connected with or necessary to their conservation management are required to be subject to an “appropriate assessment” of the implications for the conservation objectives.”* These requirements are also reflected in Policy NE3 (Our Natural Heritage) of the Proposed ALDP and the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994.

The River Dee is a European site designated as a Special Area of Conservation (SAC) due to its populations of salmon, freshwater pearl mussels and otters. New development may increase the need for Scottish Water to abstract water from the River Dee for the public supply, with water abstraction licence requirements set by SEPA. Salmon and freshwater pearl mussels may be adversely affected by reduced flows as a result of abstraction which, if substantial enough, may expose and dry out available habitat, increase water temperatures, and reduce dilution of pollution. This may degrade habitat or can directly damage or stress salmon or pearl mussels. On that basis the habitats regulations appraisal (HRA) and associated appropriate assessment carried out for the Proposed ALDP screened in most opportunity sites in the plan as having a ‘likely significant effect’. The Proposed ALDP requires further HRA’s to be undertaken for individual opportunity sites.

An appropriate assessment has therefore been carried out for the proposals within this application. In summary, it found that the levels of development proposed by the former Strategic Development Plan 2020 and therefore the Proposed ALDP, fall within current abstraction licence levels. Otherwise, with the implementation of water saving technologies for this project (as required by Policy R6 of the adopted ALDP and Policy R7 of the Proposed ALDP), it was ascertained that either alone or in combination with other projects, the redevelopment of the Braeside site will not adversely affect the integrity of the River Dee SAC. Where an appropriate assessment is required, the Council must consult NatureScot. This has been carried out and NatureScot agree with the conclusion of the appraisal.

Access, Traffic and Parking

New developments are required by Policy T2 (Managing the Transport Impact of Development) to demonstrate that sufficient measures have been taken to minimise traffic generated and to maximise opportunities for sustainable and active travel. Additionally, Policy T3 (Sustainable and Active Travel) requires developments to be accessible by a range of transport modes, with an emphasis on active and sustainable transport, and that the internal layout of developments must prioritise walking, cycling and public transport penetration. Links between residential, employment, recreation and other facilities must also be protected or improved for non-motorised transport users, making it quick, convenient and safe for people to travel by walking and cycling.

Access

In terms of accessibility of the site, this has been discussed earlier in the report in relation to 20-minute neighbourhoods, with access to service and public transport found to be good.

No requirement for additional pedestrian crossings in the area has been identified. Pedestrian connectivity in the area is considered to be good (Issue 33).

The new site access junction would be 15m from the pedestrian access to the adjacent play park. In terms of pedestrian safety, no concerns have been raised by the Roads Development

Management Team with their proximity to one another and the arrangement is not considered to be unusual or unsafe (*Issue 29*).

Traffic

The applicant's Transport Statement shows that it is predicated that the development would generate 21 two-way private vehicle trips in the AM (morning) peak and 25 two-way vehicle trips in the PM (evening) peak – representing a vehicle entering or leaving the site roughly every 2½ minutes. Outwith the peak hours, activity would be less and spread throughout the day. With this low level of traffic generation, it is not necessary to undertake any further traffic impact analysis or junction capacity assessments. It is also worth noting that although the school closed several years ago, it would have generated a significant amount of traffic in the morning and afternoons as pupils were dropped off and collected and staff arrived and departed. The traffic associated with the current proposal would be expected to be less than that associated with the school. The ACC Roads Development Management Team has reviewed the traffic assessment and are satisfied with its conclusions. (*Issue 27*).

To ensure suitable access for cyclists, the ACC Roads Development Management Team require that the existing one-way restriction on Braeside Place be altered to allow for a cyclist contra-flow. This would require traffic signs to be altered and a Traffic Regulation Order to be implemented to make the restriction legal. The applicant has agreed to progressing these measures and bearing the cost. A condition is proposed to ensure that the measures are implemented.

Parking

Concerns were raised by ACC Roads Development Management Team and by the Planning Service with the 34 parking spaces initially proposed by the applicant, as this quantity was considered too low for the number of houses proposed. This could result in vehicles being parked indiscriminately at junctions or other locations which would comprise safety or the ability to access particular areas. Through adjustments to the layout, the number of parking spaces has been increased to 43. This would comprise 37 standard spaces; four accessible spaces related to the houses which have ground floor bedrooms included and two spaces which are associated with a particular house. The increased number of spaces is considered more reasonable and is accepted by the ACC Roads Development Team (*Issue 28*).

One electric vehicle charging point (EV), with the capability of charging two vehicles simultaneously, would be installed within the site which meets the requirements. However, from 5 June 2023, EV charging comes under the remit of Building Standards regulations, which will require a far higher level of provision than the current planning requirements do. On the basis that if approved, the development would begin construction after 5 June 2023, it is proposed to attach a condition requiring details of the finalised EV charging provision, as it will likely increase from the provision for two vehicles proposed (*Issue 31*).

Contaminated Land

Policy R2 (Degraded and Contaminated Land) of the ALDP requires that all land that is degraded or contaminated, including visually, is either restored, reclaimed or remediated to a level suitable for its proposed use.

An Explanatory Report and Ground Investigation Report and Geo-Environmental Desk Study Report have been submitted in support of the application, which conclude that the former school building footprint is not entirely clear of materials which should have been completely removed from site during demolition, however the volume of material is low. No other contamination was

detected, in particular no asbestos was detected. It is proposed to screen-out less desirable anthropogenic (man-made) materials during the first stage of site works so that the uppermost 600mm from finished ground levels is free from significant foreign debris. The Council's Environmental Health service have reviewed the reports and consider them satisfactory. A condition would be attached requiring a validation report to be submitted covering the screening work.

Drainage

Policy 22 (Flood Risk and Water Management) of NPF4 seeks to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding. Development proposals will (i) not increase the risk of surface water flooding to others, or itself be at risk; and (ii) manage all rain and surface water through sustainable urban drainage systems (SUDS), which should form part of and integrate with proposed and existing blue-green infrastructure.

Policy NE6 (Flooding, Drainage and Water Quality) of the ALDP requires surface water proposals to be the most appropriate available in terms of SUDS and avoid flooding and pollution both during and after construction.

Foul Drainage

Foul drainage from homes will be discharged to new drains which will be connected to the existing combined sewer on Braeside Place. Scottish Water have confirmed there is sufficient capacity at the Nigg Wastewater Treatment Works for a new connection from the development.

Surface Water Drainage

Surface water run-off from the roofs of houses, roads and car parks would drain into a new surface water sewer network within the site. Flows would then drain to a new extended detention basin which would be created at the entrance to the site, which in turn would discharge at a restricted rate into the combined sewer on Braeside Place. However, for reasons of sustainability and to protect from potential future sewer flooding, Scottish Water's policy is to not accept any new surface water connections into their combined sewer system. This position is supported by Policy 22 of NPF4 which says, "*all proposals should presume no surface water connection to the combined sewer*".

The applicant has indicated that they will seek an exemption from Scottish Water to connect to the combined sewer, on the basis that flows from Braeside Primary School would have previously discharged into the combined sewer. Whether consent is granted for a connection is for Scottish Water to determine. Should consent not be forthcoming, the applicant has an alternative proposal to make a connection to the surface water sewer which exists on Springfield Road, some 145m from the site. Either arrangement would be satisfactory (*Issue 34*).

Health & safety and maintenance concerns have been raised with the drainage basin. In terms of long-term maintenance, in accordance with normal practice, the intention is that Scottish Water would adopt it, at which point maintenance would become its responsibility. Detention basins are normally dry, except after major storm events when they are used to store water for a short period, where they will fill and then discharge into the sewer system at a controlled rate to prevent flooding. The basin and new sewer network are designed to accommodate run-off volumes generated by 30-, 100- and 200-year rainfall events (plus climate change). It is not considered there would be any significant risk to children or animals arising from the detention pond (*Issue 35*).

Developer Obligations

Policy 18 (Infrastructure First) of NPF4 indicates that “*development proposals which provide (or contribute to) infrastructure in line with that identified as necessary in LDPs and their delivery programmes will be supported. It goes on to say that the impacts of development proposals on infrastructure should be mitigated. Development proposals will only be supported where it can be demonstrated that provision is made to address the impacts on infrastructure.*”

Similarly, Policy I1 (Infrastructure Delivery and Planning Obligations) of the ALDP states that “*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.*”

Concern is raised in representations that community facilities in the area would struggle with accommodating the increase in population that the development would create. The Planning Service uses a set methodology to determine the level of contributions a developer must provide to offset the impact of their development. The Planning Obligations Supplementary Guidance emphasises that any infrastructure or contributions sought are proportionate to the development proposed.

- Taking the development into account, based on current agreed school roll forecasts, Airyhall Primary School has capacity, whereas Hazlehead Academy would go over capacity by three pupils. Therefore, a contribution of £7,905 is sought for secondary education. Otherwise, any current issues with the provision of education at the schools is a matter for the Council in its capacity as education authority to address (*Issue 11*). Childcare provision is not covered by developer obligations (*Issue 15*).
- In terms of community facilities, a contribution (£58,512) has been identified towards Airyhall Community Centre and Library which has plans in place for improvements to parking and accessibility arrangements, Lock and Leave facilities access to increase capacity for more use out of normal staff hours and additional outside storage and mezzanine space (*Issue 14*).
- There is no play area identified within the site and play capacity will be met by existing provision. In this instance a contribution (£5,856) is sought to offset the impact by enhancing the play area to the south of the site.
- Provision of healthcare is the responsibility of NHS Grampian and infrastructure requirements have been calculated with the NHS based on national health standards. In this instance, a contribution (£18,464) will be required towards internal reconfiguration works to increase capacity at Great Western Medical Practice (Seafield Road) or other such healthcare facilities serving the development, as existing facilities in the vicinity of the development are currently operating at or over capacity. The delivery of increased healthcare (including dental) capacity would be for the NHS to address (*Issue 13*).
- A connection from the south west corner of the site is included as part of the development to link to Core Path 67 (Rocklands Road) eastward through the site to Braeside Place. No further contribution has therefore been identified for core paths.
- No contribution has been identified towards sports and recreation.

In summary, developer obligations would be sought to offset the impact of the development on the relevant community infrastructure in accordance with Policy I1.

Low and Zero Carbon Buildings

Policy R7 (Low and Zero Carbon Buildings, and Water Efficiency) of the ALDP requires all new buildings, must meet at least 20% of the building regulations carbon dioxide emissions reduction target applicable at the time of the application through the installation of low and zero carbon generating technology. A condition is proposed requiring that details are submitted demonstrating how the requirement would be met.

Digital Infrastructure

Policy 24 (Digital Infrastructure) of NPF4 encourages, promotes and facilitates the roll-out of digital infrastructure across Scotland to unlock the potential of all our places and the economy. Policy C11 (Digital Infrastructure) of the ALDP requires all new residential and commercial development will be expected to have access to modern, up-to-date high-speed communications infrastructure.

The site is an area served by City Fibre where a range of packages are available from high-speed broadband providers.

Other matters raised in representations

- Any potential change in the value of properties as a result of a new development is not a material planning consideration (*Issue 6*).
- Disruption during construction is not generally a material planning consideration as it is inevitable that this would be the case. Notwithstanding, it would be normal practice to attach a condition requiring submission of a construction environmental management plan and dust management plan to protect the environment and to prevent excessive nuisance to residents. Otherwise, excessive construction noise is under the control of the Council's Environmental Health service (*Issue 40*).
- Ensuring a construction site is secure is the responsibility of the developer and not a material planning consideration (*Issue 41*).
- It is suggested that more extensive neighbour notification should have been carried out. Neighbour notification was carried out in accordance with the national regulations which requires any premises within 20m of the application site boundary to be notified. In this case notifications were sent to 40 premises (*Issue 42*).

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.

Heads of Terms of any Legal Agreement

A legal agreement would be required to secure the identified developer obligations.

The level of parking has been accepted on the basis that the development is delivered as social housing, with the possibility that a higher level of parking would be required for an open-market housing development. The legal agreement would therefore also be required to ensure that the development is only provided as social housing.

RECOMMENDATION

Approve Conditionally Subject to Legal Agreement

REASON FOR RECOMMENDATION

As a residential use proposed within a residential area the general principle of residential use is acceptable and consistent with Policy H1 (Residential Areas) of the Aberdeen Local Development Plan (ALDP).

The redevelopment of brownfield and vacant land such as the Braeside site is supported by Policy CF1 (Existing Community Facilities) of the ALDP and Policy 9 (Brownfield, Vacant and Derelict Land and Empty Buildings) of National Planning Framework 4 (NPF4). The ALDP is clear that as well as the development of greenfield sites, the redevelopment of brownfield land is required to meet Aberdeen's housing land requirement and as such the Braeside site has been identified as an opportunity site for housing development. Policy 16 (Quality Homes) of NPF4 supports the development of new homes on land allocated for housing in LDPs.

Being located within the existing suburban area, the site benefits from being in close proximity to existing public services and public transport, supporting the aims of Policy 15 (Local Living and 20-minute neighbourhoods) of NPF4.

The layout has been arrived at by considering the constraints of the site, which include the tree belt and a high-pressure water main along the southern part of the site, the requirement to take vehicular access from Braeside Place and to locate the drainage pond in the lowest part of the site.

Minimal ground level changes would be required to accommodate the development, as such there are no concerns with significant changes in ground levels or how new houses would sit alongside existing houses in this regard. Braeside Place and application site slope from north to south, so notwithstanding that the new houses would be two-storeys, the top of their roofs would sit lower than those of the existing houses along the northern boundary of the site on Braeside Place, many of which have their own two-storey extended elements to the rear. It is considered the new houses would sit comfortably within their surroundings.

In response to concerns with the initial layout, the applicant amended the proposals to reorientate several units and move others away from the northern boundary. The new houses are now considered to be a sufficient distance away from existing houses and gardens. There are no concerns in terms of overshadowing, daylight or privacy. Otherwise, the design and layout of the development is considered acceptable in terms of Policy 14 (Liveable Places) & Policy 16 (Quality Homes) of NPF4 and Policy D1 (Quality Placemaking by Design) and Policy D2 (Landscape) of the ALDP.

The sustainable location, within the existing suburban area which is close to services and public transport represents development which has the potential to reduce dependence on the private car and in turn carbon emissions. The proposal would have regard to climate change through dealing with surface water via a SUDS feature. The site is also not known to be at risk of flooding and the development would not increase the risk of flooding to the site or others, all supporting the aims of Policy 1 (Tackling the Climate and Nature Crises) and Policy 2 (Climate Mitigation and Adaptation) of NPF4.

In terms of the of biodiversity, the site is species poor and there is no evidence of protected species or habitats. No significant trees are to be removed and the planting of new trees would replace the small trees that would be removed, helping to expand tree cover in the city and increase the capacity to capture and store carbon. The significant trees along the southern boundary of the site would be retained. In terms of the nature crisis, proposed tree and landscaping planting around the site would contribute to enhancing biodiversity, as at present the site has little vegetation and that which is there has a low biodiversity value. The measures described to reduce water usage would help safeguard protected species in the River Dee. These aspects all align with Policy 3 (Biodiversity) of NFP4.

The development would generate a low level of traffic, with levels expected to be less than that associated with the previous school use. The ACC Roads Development Management Team has reviewed the traffic assessment and are satisfied with its conclusions. Through adjustments to the layout, the number of parking spaces has been increased to 43 from 34. The increased number of spaces is considered more reasonable for the number of houses proposed and is accepted by the ACC Roads Development Team

Suitable developer obligations would be sought to offset the impact of the development on the relevant community infrastructure, so as to accord with Policy I1, and the development would be considered to comply with affordable housing requirements of Policy 16 (Quality Homes) of NPF4 and Policy H5 (Affordable Housing) as it is entirely proposed as social housing.

Other technical matters relating to drainage, water efficiency, land remediation, waste storage have been addressed satisfactorily or would be subject of conditions.

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.

PRE-COMMENCEMENT OF DEVELOPMENT

(02) TREE PROTECTION FENCING

No development (including demolition or site setup) shall take place unless the tree protection measures shown in Tree Survey BPS-2210-TR-C and drawing BPS-2210-TP (dated 11 October 2022) by Astell Associates have been implemented. Thereafter the fencing shall remain in place for the duration of construction of the development, taking account the phasing within the drawing.

Reason – to protect trees and vegetation from damage during construction in accordance with Policy NE5 (Trees and Woodlands).

(03) LANDSCAPING AND BIODIVERSITY ENHANCEMENT

No development shall take place unless a detailed scheme of hard and soft landscaping covering all areas of public and private space has been submitted to and approved in writing by the planning authority. The scheme shall include details of –

- Existing and proposed finished ground levels
- Existing landscape features, trees and vegetation to be retained or removed
- Existing and proposed services and utilities including cables, pipelines and substations
- Proposed woodland, tree and shrub numbers, densities, locations, species, sizes and stage of maturity at planting
- Proposed measures to enhance biodiversity (see NatureScot's [Developing with Nature guidance](#))
- Proposed hard surface finishing materials
- Location and design of any street furniture
- Arrangements for the management and maintenance of existing and proposed open space and landscaped areas
- A completed checklist from Annex C of the Developing with Nature guidance

Thereafter, unless otherwise agreed in writing with the planning authority, no unit shall be occupied unless all paths, hard landscaping and any artificial bio-diversity enhancement features have been constructed or provided and are ready for use.

All soft 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 five years from the completion of the development, in the opinion of the planning authority is dying, is severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

Reason – to satisfactorily integrate the development into the surrounding area, enhance the biodiversity value of the site and to create a suitable environment for future residents.

(04) BOUNDARY TREATMENTS

No development shall take place unless a scheme showing the detailed design of the proposed boundary treatments for the site and individual plots has been submitted to and approved in writing by the planning authority. The scheme shall include the removal of the fence which currently separates the site from the playpark to the south.

Thereafter, unless otherwise agreed in writing with the planning authority, no unit shall be occupied unless the said scheme has been implemented, in accordance with the approved details.

Reason – to satisfactorily integrate the development into the surrounding area and create a suitable level of residential and visual amenity.

(05) CONNECTION TO CORE PATH

No development shall take place unless a detailed specification for the path link between the site and Core Path 69, as shown on Halliday Fraser Munro drawing 12273 A SK(00)005 (Rev.P24), has been submitted to and approved in writing by the planning authority.

Thereafter, unless otherwise agreed in writing with the planning authority, no unit within the development shall be occupied unless the path link has been constructed and is available for use.

Reason – to ensure the development is satisfactorily connected into the surrounding path network.

(06) EXTERNAL LIGHTING

No development shall take place unless a scheme of external lighting for the footpaths and car parks within the site has been submitted to and approved in writing by the planning authority.

Thereafter, unless otherwise agreed in writing with the planning authority, no unit shall be occupied unless the external lighting scheme has been implemented in accordance with the approved details.

Reason – to ensure a suitable level of residential amenity & public safety and to minimise the impact upon wildlife.

(07) ELECTRIC VEHICLE CHARGING INFRASTRUCTURE

No development shall take place unless a detailed scheme of electric vehicle charging infrastructure has been submitted to and approved in writing by the planning authority.

The scheme shall take account of the requirements of section 7.2 (Electric Vehicle Charging) of the Building Standards Domestic Technical Handbook (June 2023) and show the location and specification of active and passive charging infrastructure.

Thereafter, unless otherwise agreed in writing with the planning authority, no unit within the development shall be occupied unless the scheme has been implemented and charging points are available for use.

Reason – to ensure provision is made for the charging of electric vehicles.

(08) WATER EFFICIENCY

No development shall take place unless a scheme of water efficiency for each house type has been submitted to and approved in writing by the planning authority.

The scheme shall consider the advice provided in CIRIA publication C723 (Water sensitive urban design in the UK) and specify the measures proposed to incorporate water saving technology into the development, so as to achieve gold standard for water use efficiency in domestic buildings.

Thereafter, unless otherwise agreed in writing with the planning authority, no unit shall be occupied unless for that unit the approved measures have been implemented and are available for use.

Reason – to reduce pressure on water abstraction from the River Dee, which at times of low flow can have impacts on freshwater pearl mussel, one of the qualifying features of the River Dee Special Area of Conservation.

(09) LOW AND ZERO CARBON BUILDINGS

No development shall take place unless a scheme detailing compliance with the section 4 'Policy Requirement Low and Zero Carbon Generating Technologies' within the Resources for New Development Supplementary Guidance has been submitted to and approved in writing by the planning authority.

Thereafter, unless otherwise agreed in writing with the planning authority, no unit shall be occupied unless any recommended measures specified within the scheme have been implemented in full and are available for use.

Reason – to ensure that the development complies with requirements for reductions in carbon emissions.

(10) CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN

No development shall take place unless a site-specific Construction Environmental Management Plan(s) (the “CEMP”) has been submitted to and approved in writing by the Planning Authority. The CEMP must address the following issues (i) surface water management including construction phase SUDS; and (ii) construction site traffic access and egress arrangements.

Thereafter, unless otherwise agreed in writing with the planning authority, development shall be undertaken in accordance with the approved CEMP.

Reason – to minimise the impacts of necessary demolition / construction works on the environment.

PRE-OCCUPATION OF UNITS

(11) GEO-ENVIRONMENTAL VALIDATION REPORT

No unit within the development hereby approved shall be occupied unless a validation report, demonstrating that the recommendations in section 5.0 of the Response to ACC Contaminated Land Unit Consultation – 9 November 2022 by Fairhurst have been undertaken, has been submitted to and approved in writing by the planning authority.

Reason – to ensure the ground within the site is remediated to a suitable level for the proposed residential use.

(12) DRAINAGE

No unit within the development hereby approved shall be occupied unless details of the connection point between the site surface water sewer system and the public sewer system has been submitted to and approved in writing by the planning authority. The details shall include confirmation that Scottish Water accept the proposed new connection.

Otherwise, unless otherwise agreed in writing with the planning authority, no unit shall be occupied unless all drainage works detailed in the approved Drainage Assessment (146472 DA01 (Rev.7) and drawing 146472/2200 (Rev.F) produced by Fairhurst (or such other drawing approved for the purpose) have been installed in accordance with the approved details and is available for use.

Reason – to safeguard water qualities, prevent flooding and ensure that the proposed development can be adequately drained.

(13) PROVISION OF CAR PARKING

No unit within the development hereby approved shall be occupied unless all car parking spaces have been constructed and laid out in accordance with Halliday Fraser Munro drawing SK(00)005 (Rev.P24) (or such other drawing approved for the purpose). Thereafter, the parking spaces shall

be used for no purpose other than for the parking of vehicles belonging to those living or visiting the development.

Reason – to ensure a suitable level of parking is provided.

(14) WASTE STORAGE PROVISION

No unit within the development hereby approved shall be occupied unless the bin storage areas have been provided in accordance with Halliday Fraser Munro drawing SK(00)005 (Rev.P24) or such other drawing as may be approved in writing by the Planning Authority for the purpose.

Reason – to ensure space is available to place bins for collection.

(15) BRAESIDE PLACE – CYCLIST CONTRAFLOW

No unit within the development hereby approved shall be occupied unless the measures shown on Fairhurst drawing 146472/1008D (or such other drawing approved for the purpose) to implement a cyclist contraflow on Braeside Place have been implemented.

Reason – to ensure satisfactory access for cyclists to the site.

(16) PARKING CONTROLS

No unit within the development hereby approved shall be occupied unless (i) the 'no parking at anytime' waiting restrictions within the development and on Braeside Place, shown on Fairhurst drawing 146472/1001G (or such other drawing approved by the planning authority for the purpose), have been implemented; and (ii) a traffic regulation order is in place to ensure the waiting restrictions have effect.

Reason – to minimise indiscriminate parking and ensure the free-flow of traffic.

(17) RESIDENTIAL TRAVEL PACK

No unit within the development 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, on first occupation of each unit, the pack shall be provided to the occupier.

Reason – to encourage use of more sustainable modes of transport.

ONGOING RESTRICTION

(18) REMOVAL OF PERMITTED DEVELOPMENT RIGHT (PLOTS 5, 13 and 18)

Notwithstanding the provisions of Article 3 and Class 2B of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any other future class or order covering the same matter), no improvement, addition or alteration to the external appearance of a dwellinghouse which would result in a window being present on the north facing elevation of any of the dwellinghouses located on plots 5, 13 and 18 (as shown on Halliday Fraser Munro drawing 12273 A SK(00)005 (Rev.P24), or other such plan to be agreed in writing) of the development hereby approved shall take place without a further grant of planning permission from the planning authority.

Reason – to preserve the privacy of existing residential properties on Braeside Place.

ADVISORY NOTES FOR APPLICANT

(01) HOURS OF DEMOLITION AND CONSTRUCTION WORK

Unless otherwise agreed in writing with Aberdeen City Council Environmental Health Service (poll@aberdeencity.gov.uk / 03000 200 292), demolition or construction work associated with the proposed development should not take place outwith the hours of 07:00 to 19:00 Mondays to Fridays and 08:00 to 13:00 on Saturdays. No noisy work should be audible at the site boundary on Sundays.

Where complaints are received and contractors fail to adhere to the above restrictions, enforcement action may be initiated under the Control of Pollution Act 1974.