

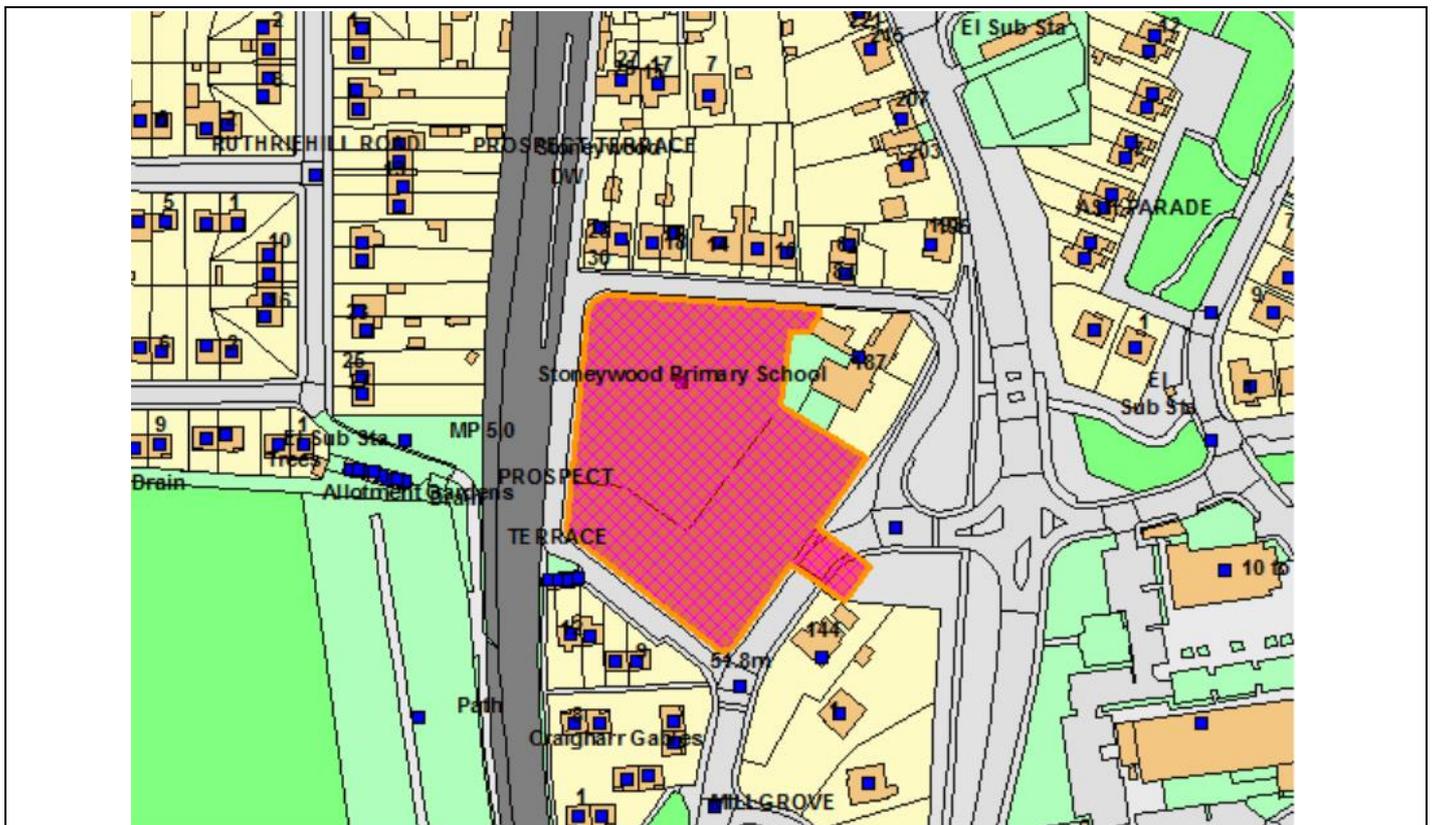


Planning Development Management Committee

Report by Development Management Manager

Committee Date: 29 June 2023

Site Address:	Former Stoneywood Primary School site, Stoneywood Road, Aberdeen, AB21 9HY
Application Description:	Erection of supported living accommodation (Class 8 - residential Institutions), comprising eight residential units and ancillary staff office building, new vehicular access, car parking, infrastructure, open space and landscaping
Application Ref:	230428/DPP
Application Type	Detailed Planning Permission
Application Date:	4 April 2023
Applicant:	Aberdeen City Council
Ward:	Dyce/Bucksburn/Danestone
Community Council:	Bucksburn and Newhills
Case Officer:	Alex Ferguson



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RECOMMENDATION

Approve Conditionally & Legal Agreement

APPLICATION BACKGROUND

Site Description

The application site comprises the curtilage of the former Stoneywood Primary school site on the western side of Stoneywood Road and bound to the north by Foresters Avenue and the west by Prospect Terrace. The majority of the former school buildings grounds were demolished recently, and the north-western portion of the site is now razed and finished with loose gravel. The site is generally flat. The historic, granite-built former schoolmaster's house and associated extensions (one of which is a former nursery) remain adjacent to the north-eastern portion of the site and the southern and eastern edges of the site are grassed and contain multiple established trees. Granite walls line the northern and western boundaries, with concrete post and metal mesh fencing to the southern and eastern boundaries. The site lies in a residential area, with the Aberdeen to Inverness rail line approximately 10m to the west and the southern boundary of Aberdeen International Airport approximately 400m to the west, beyond further housing.

Relevant Planning History

None.

APPLICATION DESCRIPTION

Description of Proposal

Detailed planning permission is sought for the redevelopment of the site for supported living accommodation, under Class 8 'Residential Institutions' of the Town and Country Planning (Use Classes) (Scotland) Order 1997. This is a separate use class from mainstream residential use, which typically falls within Use Class 9 'Houses' or is sui generis. The proposed development would comprise eight dwellings in four single-storey, semi-detached 'bungalow' buildings, alongside a staff office building of a similar scale. The accommodation would all be wheelchair accessible and suitable for occupants with varying care requirements. The site would be accessed from Foresters Avenue to the north via an upgraded vehicular and pedestrian entrance and the development would include a sensory garden, a scooter track, central courtyard and amenity space and a landscaped buffer strip to the northern and western boundaries. A new driveway and pedestrian access would be formed on the northern boundary to serve the adjacent former nursery building.

Amendments

The following amendments were made to the application following its initial submission:

- The geometry of the new vehicular access onto Foresters Avenue was amended / widened in order to ensure that the site can be accessed by emergency and refuse collection vehicles;
- A pedestrian path link was incorporated at the southern end of the site, connecting the development with Prospect Terrace;
- A Swept Path Analysis drawing, Drainage Impact Assessment and Geo-Environmental Desk Study were submitted;
- An additional section of acoustic fencing was added to the southern boundary of the sensory garden; and
- An active EV charge point was added to the staff office, passive EV provision added to the residential parking spaces and cycle parking incorporated.

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=RSLG9NBZIA100>

- Design & Planning Statement
- Noise Impact Assessment
- Drainage Impact Assessment
- Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan
- Geo-environmental desk study

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because the proposed development would see a form of residential accommodation created within the noise contours of Aberdeen International Airport, contrary to Policy B3 (Aberdeen International Airport and Perwinnes Radar) of the Aberdeen Local Development Plan 2023 (ALDP). Should the application be approved, the proposed development would therefore constitute a departure from the development plan.

CONSULTATIONS

ACC - Contaminated Land Team – No objection. The Geo-environmental desk study submitted as part of the application has been reviewed and its conclusions and recommendations accepted. The following recommendations should be applied:

- *A ground investigation should be undertaken to characterise the geotechnical properties of the deposits and to determine the presence of contamination and the potential risk to site end users.*
- *The investigation should include both environmental and geotechnical testing and groundwater monitoring. Ground gas monitoring may also be required depending on the depth and composition of Made Ground if present.*
- *As the site is Brownfield, Scottish Water will require UKWIR testing for all new water mains. This testing should be carried out once the alignment of new water mains is known.*

Should any material be required to be removed off site, it is important that appropriate waste management requirements are adhered to. This will potentially include ensuring suitability of any materials for re-use offsite as well as ensuring any applicable waste exemptions are held.

The Contaminated Land team look forward to reviewing a Geo-environmental interpretative report in due course.

ACC - Developer Obligations – A financial contribution of £6,551 is sought to go towards increasing the capacity of Gilbert Road Medical Practice, or any such other practice that may serve the development. No other contributions are sought, and the Developer Obligations team note that the nature of the proposed development is such that it is not anticipated any school-aged pupils would be likely to be housed within the new dwellings.

ACC - Environmental Health – No objection. The Noise Impact Assessment by Sandy Brown Limited (Reference: 23055-R01-B, Version: B, Date: 21 March 23) associated with the proposal has been reviewed and its findings considered reasonable in relation to internal noise and use of a closed window strategy for noise and alternative means of ventilation.

In relation to external amenity and noise from aircraft, the Airport's 2020 noise contour map advises the site is located between the 57 dB LAeq and 60 dB LAeq 16 Hours Noise Contour. Section 6 of the NIA report also advises the external noise levels due to aircraft of 61dB during the day. The external amenity space will not therefore achieve the WHO maximum external noise limit of 55 dB LAeq 16 Hour or the 57 dB LAeq 16 Hour aircraft noise criteria detailed within Policy B3 of the 2023 Local Development Plan which advises of refusal for residential development under such circumstances.

Should the Planning Service consider a departure from Policy B3 is appropriate, the Environmental Protection Team is not minded to object in relation to external noise at this small development provided the noise mitigation measures achieving at least an equivalent effect of those measures currently contained within section 7 of the report are applied, including;

- a) Installation of windows throughout the development with a minimum sound insulation performance of $R_w + C_{tr}$ 40 dB.
- b) The external wall and roof constructions must have a minimum sound insulation performance of $R_w + C_{tr}$ 48 dB.
- c) Installation of essential mechanical means of ventilation to allow a closed window strategy for noise control.
- d) Installation of a mechanical ventilation system which complies with NR 25 internally within dwellings with demonstration of this to the satisfaction of the Environmental Protection Service.
- e) Provision of an acoustic barrier with the 'Type B' detailed specification as detailed within the drawing entitled 'Proposed Boundary Treatment Details' (Reference: Drawing No. 2274-MRT-XX-XX-AD-A 90010 Version: n/a, Date: March 23), along the eastern boundary of the sensory garden as detailed within the drawing entitled 'Proposed Boundary Treatment Plan' (Reference: Drawing No. 2274-MRT-XX-XX-LD-A 90002 Version: n/a, Date: March 23) to reduce road noise impact. Contrary to the above Plan, it is considered necessary for the type B acoustic fence to be extended along the South-westerly boundary between the sensory garden and external amenity of plot 8 to be effective. NB – this service considers a suitably amended plan is submitted to demonstrate this.

ACC - Natural Environment Policy Team – No objection. Note that the proposed development would not have a significant detrimental impact on existing trees and have provided recommendations for the types of trees, hedges and other soft landscaping to be planted throughout the development in order to maximise biodiversity and minimise future impact on residential amenity. These comments are attached as an advisory note for the applicant to be aware of in the preparation of a detailed soft landscaping scheme in due course.

ACC - Housing Strategy – No objection. The development will form part of the next Strategic Housing Investment Plan (SHIP) and is to be delivered as 100% affordable housing, owned and rented out by ACC.

ACC - Roads Development Management Team – No objection. Advise that the proposed development is acceptable following the submission of additional information and clarification on various aspects including the provision of cycle parking for staff and visitors, an active EV charge point and passive EV provision for car parking spaces, confirmation of dimensions of parking bays and aisle widths and the submission of a swept path analysis drawing to demonstrate that the development could be safely accessed by emergency and refuse collection vehicles. The drainage proposals are acceptable, and the development would be adequately drained, and the number of car parking spaces proposed has been justified due to the operational requirements of the proposed development which would see 8 residents and 16 staff members on site at any one time, along with staff shift turnovers and residents' visitors.

Scottish Water – No objection. Confirmed direct to the applicant as part of their pre-development enquiry application that there is sufficient capacity in both the water and waste-water treatment works to service the proposed development.

ACC - Waste and Recycling – No objection. Advise that the staff building will require a separate waste contract and containers and provided details of the number and types of general waste, mixed recycling and food waste bins that will require to be purchased by the developer. These details are added as an advisory note for the applicant to be aware of.

Bucksburn and Newhills Community Council – No comments received.

REPRESENTATIONS

Two representations have been received. Both representations are generally supportive of the principle of redeveloping the site for supported living accommodation but also raise a number of concerns which can be summarised as follows:

- What impact would the development have on existing residents' parking on Foresters Avenue? The street is a narrow one-way road with insufficient parking at present. Will the development reduce the number of spaces available on the street?
- The plans do not appear to include any proposed redevelopment / new use for the derelict, boarded up former school building adjacent to the application site, although a new vehicular access is proposed to serve that building. What vehicles and how many of them would use that access and for what purpose?
- The proposed development could adversely affect emergency access and road safety on Foresters Avenue;
- Will the driveway area serving the old school building be open access or gated?
- Can additional trees be considered on Foresters Avenue to improve the outlook for existing residents?
- The proximity of the proposed bin store area for the new development to Foresters Avenue could have an adverse impact on the free flow of traffic on bin collection days. Can the bin store be moved to the back of the development?
- The development should be of the highest design quality. What percentage of the scheme will be dedicated to art, if any?

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.

Development Plan

National Planning Framework 4 (NPF4)

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 11 (Energy)
- 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 20 (Blue and Green Infrastructure)
- Policy 21 (Play, Recreation and Sport)
- Policy 22 (Flood Risk and Water Management)
- Policy 23 (Health and Safety)

Aberdeen Local Development Plan 2023 (ALDP)

The following policies are relevant –

- Policy B3 (Aberdeen International Airport and Perwinnes Radar)
- Policy CI1 (Digital Infrastructure)
- Policy D1 (Quality Placemaking)
- Policy D2 (Amenity)
- Policy D5 (Landscape Design)
- Policy D7 (Granite Heritage)
- Policy H1 (Residential Areas)
- Policy H5 (Affordable Housing)
- Policy I1 (Infrastructure Delivery and Planning Obligations)
- Policy NE2 (Green and Blue Infrastructure)
- 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)
- Policy WB1 (Healthy Developments)
- Policy WB3 (Noise)

Interim Aberdeen Planning Guidance

- Affordable and Specialist Housing
- Flooding, Drainage and Water Quality
- Open Space and Green Infrastructure
- Landscape
- Materials TAN
- Noise
- Resources for New Development
- Transport and Accessibility
- Trees and Woodland

Draft Supplementary Guidance

- Planning Obligations

Other National Policy and Guidance

- Planning Advice Note 1/2011 (Planning and Noise) and Technical Advice Note

EVALUATION

Principle of development - Noise

Policy B3 (Aberdeen International Airport and Perwinnes Radar) of the ALDP states that:

Applications for residential development in areas where aircraft noise levels are 57dB LAeq (the summer 16-hour dB LAeq measurement) or more as identified in the noise contour map will be refused, due to the inability to create an appropriate level of residential amenity, and the need to safeguard the future operation of Aberdeen International Airport.

The application site lies approximately 500m to the east of the southern boundary of Aberdeen International Airport and the site straddles the 16 hour 57-72 dB(A) Noise Contour for the airport. The development of residential accommodation on the western half of the site is therefore contrary to Policy B3 of the ALDP.

As well as the current noise contours, previously forecast contours for 2020 would see the entire site fall within the 57dB contour. However, the airport has previously advised that the increase in passenger numbers and corresponding increase in flights and aircraft noise will not occur at 2020, but by 2030.

By 2040, or potentially later given the later increase in noise, noise levels are forecast to have reduced slightly, although the entirety of the site would remain within the 57dB contour. Therefore, at all times within the short term, the expected noise environment for the site is predicted by the Civil Aviation Authority (CAA) to exceed the 57dB noise level in the western half of the site, with the entirety of the site expected to exceed the 57dB noise level in the longer term (c. 2030 onwards).

In addition to Policy B3 of the ALDP, Policy 23 (Health and Safety) of NPF4 states that the agent of change principle applies to noise sensitive development whilst Policy WB3 (Noise) of the ALDP indicates that housing and other noise sensitive developments will not normally be permitted close

to existing noisy land uses without suitable mitigation measures in place to reduce the impact of noise.

Scottish Government Planning Advice Note (PAN) 1/2011 promotes the principles of good acoustic design and a sensitive approach to the location of new development. It promotes a pragmatic approach to the location of new development within the vicinity of existing noise generating uses, to ensure that quality of life is not unreasonably affected, and that new development continues to support sustainable economic growth. Issues which may be relevant when considering noise in relation to a development proposal include:

- Type of development and likelihood of significant noise impact;
- Sensitivity of location (e.g. existing land uses, Noise Management Areas, Quiet Areas);
- Existing noise level and likely change in noise levels; and
- Character (tonal, impulsivity etc), duration, frequency of any repetition and time of day of noise that is likely to be generated.

When considering applications for new noise sensitive development close to an existing noise source, the likely level of noise exposure at the time of the application and any increase that may reasonably be expected in the foreseeable future are likely to be relevant, as will the extent to which it is possible to mitigate the adverse effects of noise.

On residential development specifically, PAN 1/2011 states that it is preferable that satisfactory noise levels can be achieved within units with windows sufficiently open for ventilation. Local circumstances, particularly relating to the existing noise character of the area, should influence the approach taken to noise levels with open or closed windows. It may be appropriate to take a different approach to noise levels in different areas. Satisfactory internal noise levels with open windows may not always be achievable, but are always preferable. Where satisfactory levels with open windows are not achievable, practicable mitigation solutions should be explored, taking into account their possible impact on the built environment. Design solutions may be possible, such as locating living rooms and bedrooms on the opposite side of a building to the source of the noise or use of windows designed to provide for ventilation while providing improved sound reduction. In some circumstances however, closed windows with alternative means of ventilation may be unavoidable. Passive systems may be considered but mechanical ventilation should only be used as a last resort. Sound levels in gardens and amenity areas may also need to be considered in terms of enabling a reasonable degree of peaceful enjoyment of these spaces for residents.

In order to address the issue of noise emissions from the operations of Aberdeen International Airport, the applicant has submitted a Noise Impact Assessment (NIA) which has been reviewed by the Council's Environmental Health Service. The NIA is a significant material consideration in the determination of the actual impact of noise on the amenity of future residents of the proposed development. The findings and recommendations of the NIA are summarised as follows:

Internal Noise

Within residential properties, it is desirable that ambient daytime (0700 – 2300) noise levels should not exceed 35dB LAeq,16 hour in living rooms and bedrooms. At night (2300 – 0700) the limit is 30dB LAeq,8 hour. Although the site lies in close proximity to the Aberdeen to Inverness railway line and Stoneywood Road, aircraft movements are the dominant noise source across the site. Day and night-time average noise levels exceed the WHO guideline levels and constitute a 'moderate adverse impact' and a 'minor adverse impact' respectively. However subject to the implementation of several mitigation measures, including mechanical ventilation and the use of windows and external wall and roof constructions with specified minimum sound insulation performance, the NIA

finds that the proposed dwellings would comfortably achieve the required reduction in noise levels experienced internally, with daytime and night-time external noise levels of 62dB and 55dB reduced to 19dB and 12dB respectively. In the worst-case scenario of a direct helicopter flyover, the maximum noise level of 88dB would be reduced to 45dB internally. It is anticipated that there would be no more than 10-15 flyovers during the night-time period. All other events with lower noise levels would be similarly reduced.

External Noise

For external noise, PAN 1/2011 and the WHO guidance indicates that sound levels in gardens and external amenity areas may also need to be considered in terms of enabling a reasonable degree of peaceful enjoyment of these spaces for residents.

Specifically, for external areas that are used for amenity space, it is desirable that the external noise level does not exceed 50dB LAeq,16h (the point at which moderate annoyance occurs) with an upper guideline value of 55dB LAeq,16h (representing serious annoyance). The latter level is acceptable in noisier environments, such as a city centre.

The NIA indicates that the external noise levels on the site due to aircraft would be 61dB, thus the external amenity areas within the development would exceed the upper 55dB guideline limit. However, the exceedances above the 55dB guideline limit would be due to maximum noise levels from aircraft events, as opposed to a continuous background noise. No mitigation measures are proposed as, due to the noise emissions coming from aircraft above the site, there is no feasible way in which they could be reduced.

The Planning Service acknowledges that it would be preferable if the external amenity areas could also meet the guideline maximum noise levels. However, it is recognised that due to the intended nature of the accommodation to be provided, the applicant confirms that each of the dwellings will only accommodate a single resident, and that garden use will likely be supervised, only take place in favourable weather conditions and not for lengthy periods of time. In this regard, the usage of the gardens and other external amenity areas by residents of the proposed supported living accommodation is not likely to be as frequent as it would be for mainstream residential use and exposure to high noise levels will be limited in that context.

Summary of noise matters

- The NIA concludes that the design specification of the dwellings, to a Passivhaus standard and with mechanical ventilation and windows, walls and roofs of a minimum sound insulation performance, would satisfactorily ensure that, inside the buildings, the residents would not be adversely affected by external noise emissions to any significant degree.
- PAN 1/2011 (Planning and Noise) indicates that it is preferable that satisfactory noise levels should be achieved within dwellings with the windows sufficiently open for ventilation. The Planning Authority's typical approach in the case of large developments, is that it can be accepted that a small number of properties may experience less than optimum noise levels and may have to utilise significant mitigation measures, such as: closed windows and alternative means of ventilation. In this proposal all the properties would require closed windows to achieve acceptable internal noise standards.
- For external noise, the external amenity areas of the site would see noise levels exceed the guideline maximum limit. However, the exceedances would be from maximum emissions from passing plane movements, rather than a consistent background noise. The applicant's

Noise Impact Assessment states that there are approximately 67 plane arrivals and 63 plane departures scheduled for Aberdeen International Airport on a typical day, with additional helicopter flights. Furthermore, given the nature of the specialist supported accommodation, the applicant advises that it is unlikely the garden areas would be utilised for the same duration and frequency as would be expected for a mainstream residential development.

- The noise assessment also considered noise from other sources, including the adjacent railway line and Stoneywood Road, but noise from those sources was found to be negligible.

The Council's Environmental Health Service have reviewed and accept the findings of the applicant's NIA and its recommended mitigation measures. Whilst they acknowledge the noise levels in external amenity areas would not be ideal, they do not object to the application, noting its relatively small scale. The Planning Service also acknowledges the applicant's statement that there is an urgent need for specialist supported living accommodation such as that being applied for, with a total of 30 people in need of, and currently without, such accommodation in Aberdeen City. Those people are currently either occupying hospital beds or in inappropriate alternative accommodation. The number of people in need of such accommodation is expected to grow by approximately 8 people per year. Alternative sites for the provision of the required accommodation were reviewed but ultimately discounted as less favourable than the application site, for a number of reasons.

Therefore, taking into consideration the following matters:

- The design of the buildings would meet internal guideline noise limits;
- The external areas would not likely be used as frequently as mainstream housing and any external noise exceedances would be sporadic rather than consistent; and
- The applicant (the Council) has an urgent need for supported living accommodation and has ruled out other sites via an options appraisal which identified the application site as the most suitable and readily available site for the proposed development,

the Planning Service is satisfied that, on balance, the proposed development would be acceptable and that noise emissions would not have a significant adverse impact on the amenity of the future residents. It is therefore considered that the aforementioned material considerations can be afforded sufficient weight to outweigh the automatic presumption against residential development contained within Policy B3 of the ALDP and that the proposal is compliant with Policy 23 of NPF4 and WB3 of the ALDP in relation to noise exposure

Principle of development - Quality Homes & Residential Areas

The application site lies within a Residential Area, as zoned in the ALDP Proposals Map.

Policy 16 (Quality Homes) of NPF4 states:

a) Development proposals for new homes on land allocated for housing in LDPs will be supported.

c) Development proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision, will be supported. This could include:

- vi. homes for older people, including supported accommodation, care homes and sheltered housing;*
- viii. homes for other specialist groups such as service personnel.*

Although the site is not specifically allocated for housing in the ALDP (i.e. a designated Opportunity Site), it does lie within a defined existing residential area, within which new residential development is acceptable in principle, subject to compliance with the criteria set out below in Policy H1 of the ALDP. The proposed development would create 8 dwellings providing supported living accommodation for persons with complex care requirements – a type of accommodation of which there is an urgent need for in Aberdeen City. The proposed development is therefore considered to be fully compliant, in principle, with Policy 16 (a) and (c) of NPF4.

Policy H1 (Residential Areas) of the ALDP states:

Within existing residential areas (H1 on the Proposals Map) and within new residential developments, proposals for new residential and householder development will be approved in principle if it:

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

The proposed development is assessed against each of the above criteria of Policy H1 as follows:

Over development

Over development is not specifically defined in the ALDP or any associated supplementary guidance although over development is typically considered to take place in a residential context when an excessive portion of a residential plot is developed, or the built footprint of a dwelling would be more than doubled by new extensions.

In the context of the existing site and the proposed use it could be considered that over development would occur if too many dwellings were proposed, such that an insufficient quality of amenity would be delivered for the new residents, insufficient amenity space were to be provided, or the scale of any new buildings were to be incompatible with the context of the surrounding area.

The proposed development would see the erection of a total of five new buildings of a relatively small scale (all single storey). The buildings would be surrounded by areas of open space and soft landscaping and the density of development would be relatively low. It is thus considered that the proposed development would not constitute the over development of the site.

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

The surrounding area is largely residential in terms of land use and is characterised by a mix of different dwelling types, ages and designs. Although the closest dwellings on the opposite side of Foresters Avenue to the north are 2 storey traditional granite-built early 20th Century semi-detached villas, the dwellings to the south of the site on Stoneywood Road and Prospect Terrace are generally mid-to-late 20th Century dwellings of either one or 1½ storeys in height, including a cluster of semi-detached bungalows just to the south of the site that are of a very similar scale and form to the dwellings proposed for the application site.

The staff office building has been carefully designed to take a more domestic rather than commercial form and appearance, in order that it would sit well alongside the four residential buildings on the site. Combined with the careful siting of the development away from existing established trees and the proposed incorporation of soft-landscaped buffer strips to the northern and western boundaries, it is considered that the proposed development would be a positive addition to the character of the area compared to the existing situation.

In terms of the impact on existing amenity, the development would be of a residential nature, rather than commercial, although staff would be present on the site at all times. The proposed use is therefore compatible with the surrounding residential uses and the low density, inward-facing layout of the site would ensure that there would be no significant impacts on the amenity of any neighbouring properties. The separation distance between the new buildings and existing properties would ensure no direct overlooking and no impacts on terms of sunlight or daylight receipt.

The proposed development would therefore adequately preserve both the character and amenity of the surrounding area.

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

Although the site includes an area of unkempt grass in the southern and eastern portions and that grass is included in the Open Space Audit 2010, the grass previously formed part of the now-demolished school curtilage and was / is fenced off from public use. As a result, the grassed area of the site is not considered to constitute an area of particularly valuable or valued public open space and the redevelopment of part of the grassed area is therefore considered to be acceptable. The existing area of open space would not be wholly development and some new areas of open space would also be created around the periphery of, and within, the development.

Policy H1 summary

It is therefore considered that, for the aforementioned reasons, the proposed development would not constitute over development, would not adversely affect the character or amenity of the area and would not result in the loss of any valuable open space. The proposed development is therefore considered to be acceptable, in principle, in accordance with Policy H1 of the ALDP.

Tackling the Climate and Nature Crises, Climate mitigation and Biodiversity

Policy 1 (Tackling the Climate and Nature Crises) of National Planning Framework 4 (NPF4) requires significant weight to be given to the global climate and nature crises in the consideration of all development proposals. Policy 2 (Climate mitigation and adaptation) requires development proposals to be designed and sited to minimise lifecycle greenhouse gas emissions as far as possible, and to adapt to current and future risks from climate change.

The proposed development is relatively small-scale such that it would not, in itself, make any significant difference to the global climate and nature crises, nor to climate mitigation and adaptation. However, the proposed buildings would all be designed to a Passivhaus (ultra-low energy) standard of environmental performance and would incorporate low and zero carbon energy generating technologies such as solar photovoltaic (PV) panels and air source heat pumps, which would ensure that the development would suitably minimise lifecycle greenhouse gas emissions. Existing trees would be predominantly retained, and new trees and soft landscaping would be planted on the site. It is therefore considered that the development would make a small, localised contribution towards tackling the global climate and nature crises and

would minimise greenhouse gas emissions. The proposals are therefore compliant with Policies 1 and 2 of NPF4.

Policy 3 (Biodiversity) of NPF4 requires proposals for local development *'to include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development.'* Although the proposed development would include the erection of new buildings with an associated internal road and hard landscaping, it would also include the provision of new areas of soft landscaped garden ground, some public realm soft landscaping and also a landscaped buffer strip of new tree and shrub planting to the northern and western edges of the site. All existing established trees within the site would also be retained and protected from the new development. As such, given the site comprises a largely hard landscaped brownfield site at present, with little biodiversity value other than the existing trees to the southern and eastern boundaries, it is considered that subject to the submission of full landscaping details via condition (with an expectation that the landscaping scheme shall incorporate the planting of native species conducive to wildlife), the proposed development would see a net on-site biodiversity gain. It is thus considered that the proposals are acceptable in accordance with Policy 3 of NPF4.

Re-use of brownfield land

Policy 9 (Brownfield, Vacant and Derelict Land and Empty Buildings) of NPF4 states that:

a) 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 application site formerly hosted the Stoneywood Primary School until it was demolished in 2021. The proposed development would re-use the existing brownfield site to provide supported residential accommodation which is much-needed locally. The new buildings would be designed to an ultra-low energy standard and the site would incorporate a significant amount of new tree planting and soft landscaping. It is thus considered that the proposed development would constitute the sustainable re-use of the brownfield site, in accordance with Policy 9 of NPF4.

Amenity for new residents

Aside from the aforementioned issues in relation to noise emissions impacting upon the amenity of the future residents of the development, it is necessary to ensure that a satisfactory quality of residential amenity would otherwise be created. Policy D2 (Amenity) of the ALDP which sets out some of the criteria that should be considered in ensuring a satisfactory residential amenity, as follows:

In order to ensure provision of amenity the following principles will be applied. Development will be designed to:

- *make the most of any opportunities offered by the site to optimise views and sunlight through appropriate siting, layout and orientation;*
- *ensure that occupiers are afforded adequate levels of amenity in relation to daylight, sunlight, noise, air quality and immediate outlook;*
- *ensure that occupiers are afforded adequate levels of amenity in relation to daylight, sunlight, noise, air quality and immediate outlook;*
- *have a public face to the street to ensure natural surveillance, and active street frontages;*

- *ensure that refuse and recycling facilities, cycle storage, low and zero carbon technology, plant and services are sensitively integrated into the design;*
- *ensure that external lighting minimises light spillage into adjoining areas and the sky.*

Residential developments will also:

- *ensure that occupiers are afforded adequate levels of privacy;*
- *ensure minimum standards for internal floor space and private external amenity space in terms of quantity and quality;*
- *provide no less than 50% usable amenity space where it is necessary to provide car-parking within a private court. Underground and/or decked parking will be expected in higher density schemes;*
- *ensure minimal shading of external private and public spaces;*
- *ensure all residents have access to usable private/ semi-private open spaces and sitting-out areas provided by way of balconies, terraces, private*
- *or communal gardens;*
- *have a private face to an enclosed garden or court to ensure a sense of safety and enclosure.*

The proposed dwellings would all have generous internal floor areas of approximately 90sqm and they would all be dual aspect, with the front elevations facing onto the internal 'street' and the central courtyard amenity space, and the rear elevations all facing onto private rear garden areas. The dwellings would all have an east and a west-facing aspect and due to the proposed use of large windows and patio doors on both elevations, all of the dwellings would receive ample natural daylight. The dwellings would not overlook each other; therefore an acceptable level of privacy would be achieved. Whilst the private garden areas would not be particularly large, as noted above it is not anticipated they would be used frequently given the nature of the accommodation to be provided. Furthermore, a communal sensory garden, central grassed amenity space and scooter park would provide additional external amenity space for use by residents. It is therefore considered that an acceptable quality of amenity would be created for the future residents of the development, in accordance with Policy D2 of the ALDP. Finally, an acceptable level of private and communal garden ground and open space would be provided, meeting the requirements of Policy NE2 (Green & Blue Infrastructure) of the ALDP.

Design Quality & Placemaking

Policy 14 (Design, Quality and Place) of NPF4 and Policy D1 (Quality Placemaking) of the ALDP both require all new development to be of a high-quality design, appropriate for its context. The design and layout of the proposed development is, to a large extent, derived from the operational requirements of the proposed supported accommodation use, which necessitates the provision of single storey buildings orientated to face inwards over the central 'courtyard' area, with the provision of a staff building adjacent to a single vehicular access point. The layout is considered to be acceptable given the nature and operational requirements of the intended use. Architecturally the buildings are considered to be of an appropriate size and design and they would not harm the visual amenity or character of the surrounding area which sees a wide variety of dwelling types, sizes and designs. The development would be compliant with the six qualities of successful placemaking and would represent a visual enhancement for the area compared with the existing vacant brownfield site. The proposals are therefore considered to be of an acceptable design quality, in accordance with Policies 14 of NPF4 and D1 of the ALDP.

Policy D7 (Our Granite Heritage) of the ALDP requires all existing granite buildings and features, such as boundary walls, to be retained where possible and re-used in new developments where

their removal is required. The proposed development would largely retain the existing granite boundary walls, with the exception of the removal of a relatively small section to form the new vehicular access points. The existing granite gate piers would be reconstructed either side of the new vehicular access to the development and the proposals are therefore considered to be compliant with Policy D7 of the ALDP.

Trees and landscaping

Policy 6 (Forestry, Woodland and Trees) of NPF4 is supportive of development proposals that would enhance, expand and improve woodland and tree cover and states that proposals that would have adverse impacts on individual trees of high biodiversity value will not be supported.

Policy NE5 (Trees and Woodland) of the ALDP states a presumption against all development that will result in the loss of, or damage to, trees and woodlands that contribute to nature conservation, landscape character, local amenity or climate change adaptation and mitigation.

Policy D5 (Landscape Design) of the ALDP requires new development to be informed by existing landscape character, to retain existing landscape features, to create new landscapes where none exist and to provide hard and soft landscape proposals that are appropriate to the scale and character of the development.

The layout of the proposed development has been designed with due consideration for the line of approximately 20 existing established trees that runs along the southern and eastern boundaries of the site. With the exception of one tree on the eastern boundary that requires to be felled in order to provide the necessary connection of the site's surface water drainage into the Scottish Water surface water sewer network, all of the existing trees would be retained and all new development would be site a sufficient distance away to ensure that their long-term health would not be adversely affected. The retention and protection of the vast majority of the trees on the site is therefore acceptable in accordance with Policy 6 of NPF4 and Policy NE5 of the ALDP.

Aside from the trees on the southern and eastern boundaries, there are no other trees or areas of significant soft-landscaping within the remainder of the site. The proposed development would incorporate new soft landscaping including turfed areas of grass, low-level hedges and some trees to the communal courtyard and garden areas, along with new tree and shrub planting to a landscape buffer that would run along the site's northern and western boundaries. Whilst full details of the planting to take place in the landscape buffer are not known at this stage, with further detail to be provided in a detailed landscaping scheme via condition, the Planning Service is satisfied that the proposed development would adequately retain the existing trees and landscape features, and the new trees and other soft landscaping to be planted would be appropriate to the scale and character of the development and help to create an attractive residential environment that would enhance the local landscape character compared to the existing situation. The proposals are therefore considered to be compliant with Policy D5 of the ALDP.

Transport, Accessibility and Road Safety

Policy 13 (Sustainable Transport) of NPF4 and Policy T2 (Sustainable Transport) of the ALDP require new development to take sufficient measures to minimise traffic generated and to maximise opportunities for sustainable and active travel. Policy T3 (Parking) of the ALDP states that low or no car development will be supported in suitable inner and outer city locations where there is adequate access to active travel and public transport options.

The site lies in a relatively accessible location, in the Stoneywood area and within walking distance of bus stops served by several frequent bus services on Stoneywood Road. There is a good

footpath network in the surrounding area, such that the site could be accessed by foot and cycle parking would also be provided for both staff and visitors. It is thus considered that the development can be accessed sustainably.

Given the nature of the proposed development, providing supported residential accommodation for individuals with specialist needs, it is anticipated that the residents themselves would be unlikely to either own or utilise cars. However, with an average staff to resident ratio of 2:1, it is anticipated that there would typically be 16 staff members on-site at any one time, with staff working nights and shift patterns. Due to staff overlaps and an anticipated average of one visit per resident per day (from family members, friends, and/or outside specialists), it is appreciated that a relatively high number of car parking spaces would be required compared to a typical mainstream residential development, in order to ensure ease of accessibility for all staff and visitors without detriment to existing on-street residents' parking provision.

In this regard, a total of 28 car parking spaces are proposed and the requirement for that number of spaces is accepted on the basis of the aforementioned operational requirements of the proposed development. The proposed development would therefore be capable of being accessed sustainably if desired, yet also capable of being accessed by private car if required. The Planning Service considers that the proposed development is compliant with Policy 13 of NPF4 and Policies T2 and T3 of the ALDP.

In terms of road safety, the applicant has submitted swept path analysis drawings which demonstrate that both emergency and refuse collection vehicles would be able to enter, manoeuvre around, and exit the site safely via the new vehicular access to the proposed development, including when cars are parked on-street on Foresters Avenue. It is therefore considered that the proposed development would pose any risks to road safety.

New driveway to serve former nursery building

In addition to the vehicular access proposed to serve the new supported living accommodation development, it is also proposed to form a new vehicular access and driveway to serve the portion of the former nursery building which remains to the east of the site. At present the former nursery building does not have its own access, therefore a new one will be required should the proposed development take place. There are no plans currently for the redevelopment of the former nursery building but the proposed driveway is considered to be acceptable from a road safety perspective and a sensible option to future proof the adjacent site.

Waste & Recycling

Policy 12 (Zero Waste) of NPF4 and Policy R5 (Waste Management Requirements for New Development) of the ALDP both require all new developments that will produce operational waste and recyclable materials to such waste and recyclables, in a location that is convenient for collection.

A bin store would be formed adjacent to the vehicular entrance to the site, within which both the residential waste generated by the residents would be stored, along with any commercial waste generated by the staff building. Waste generated by the residents would be transferred to the bin store by the staff and the general waste and mixed recycling bins would then be collected by bin crews on collection days. The site layout has been designed to allow for bin lorries to enter and exit the site in a forward gear and the proposed development is therefore acceptable in accordance with Policies 12 of NPF4 and R5 of the ALDP.

Drainage and water connections

Policy 22 (Flood Risk and Water Management) of NPF4 states:

c) Development proposals will:

- i. not increase the risk of surface water flooding to others, or itself be at risk.*
- 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. All proposals should presume no surface water connection to the combined sewer;*
- iii. seek to minimise the area of impermeable surface.*

d) Development proposals will be supported if they can be connected to the public water mains.

e) Development proposals which create, expand or enhance opportunities for natural flood risk management, including blue and green infrastructure, will be supported.

Policy NE4 (Our Water Environment) of the ALDP states:

Development will not be supported if:

1. It increases the current and/or future risk of flooding:

- a) By reducing the ability of the functional flood plain to store and convey water; or*
- b) Through the discharge of additional surface water; or*
- c) By harming flood defences;*

2. It would be at risk of flooding itself

The applicant has submitted a Drainage Impact Assessment (DIA) which demonstrates how the development would be drained. The foul drainage network would be constructed to an adoptable standard and would discharge to the existing Scottish Water combined sewer network which runs along Prospect Terrace to the site's southern boundary. The surface water on the site would drain via permeable paving with underlying filter trenches and drains into an on-site underground attenuation tank, prior to discharging at a restricted rate into an existing Scottish Water surface water sewer network to the east of the site on Stoneywood Road.

Scottish Water have confirmed that there is sufficient capacity in both the water and waste-water treatment works to service the development and the Council's Roads Development Management team have reviewed and accepted the findings of the applicant's DIA. The site is not itself at risk of any flooding and, subject to it being drained in accordance with the details stated in the DIA, the proposed development would be adequately drained and would not increase the risk of flooding to any neighbouring properties. A reasonable proportion of the site would also be retained as, or converted to, permeable surfaces. The proposed development is therefore compliant with Policies 22 of NPF4 and NE4 of the ALDP.

Affordable Housing and Planning Obligations

As per Policy 16 (Quality Homes) of NPF4 and Policy H5 (Affordable Housing) of the ALDP, a minimum of 25% affordable housing would be required on the application site if the proposed development were for mainstream open-market housing. However, although 8 dwellings would be created, they would exclusively provide supported accommodation for individuals with specialist needs, with care provided around the clock. The proposed development therefore constitutes a

Class 8 residential institution, rather than Class 9 dwellings, and no affordable housing contribution is required in this instance. Nevertheless, the Council's Housing Strategy team have advised that the development will form part of the next Strategic Housing Investment Plan and is to be delivered as 100% affordable housing, owned and rented out by ACC.

Should it be intended to sell or rent the properties as residential accommodation on the open market at any point in the future then planning permission would be required to change the use of the development and an appropriate affordable housing contribution would be sought at that stage.

Policy 18 (Infrastructure First) of NPF4 and Policy I1 (Infrastructure Delivery and Planning Obligations) of the ALDP both require the impacts of new developments on local facilities and/or infrastructure to be adequately mitigated. The Council's Developer Obligations Team have advised that a financial contribution of £6,551 is sought to go towards upgrading the Gilbert Road Medical Practice or any other applicable practice serving the development. Given the Council is the applicant, that contribution will be secured via a relevant legal agreement between Council services should the application be approved. No other contributions are sought.

Degraded and contaminated land

Policy 9 (Brownfield, vacant and derelict land and empty buildings) of NPF4 and Policy R2 (Degraded and Contaminated Land) of the ALDP both require known or suspected contaminated land to be remediated for any proposed new use. A geo-environmental desk study of the site has taken place and a report submitted as part of the application. The study recommends that a ground investigation should be undertaken to characterise the geotechnical properties of the deposits on the site and to determine the presence of contamination and the potential risk to future users. The Council's Contaminated Land team have reviewed the desk study and agree with its findings. A condition is attached requiring the submission of a geo-environmental interpretative report for the Contaminated Land team to review and approve, prior to the development being occupied.

Low & Zero Carbon Technologies and Water Efficiency

Policy 11 (Energy) of NPF4 states that development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported, including small-scale renewable energy generation technology. Policy R6 (Low and Zero Carbon Buildings, and Water Efficiency) of the ALDP requires all new buildings to demonstrate that a portion of the carbon emissions reduction standard set by Scottish Building Standards will be met through the installation and operation of low and zero carbon generating technologies.

The proposed development would be highly sustainable in terms of its operational energy usage, with all of the buildings to be designed to meet the ultra-low energy Passivhaus standard and to incorporate solar PV panels and air source heat pumps. It is therefore considered that the proposed development is acceptable in accordance with Policy 11 of NPF4 and should easily meet the requirements of Policy R6 of the ALDP – subject to the submission of further precise details of the low and zero carbon technologies via condition.

Policy R6 of the ALDP also requires all new buildings to incorporate water saving technologies and techniques to reduce the pressure on water abstraction from the River Dee. A condition is attached requiring further details in this respect.

Digital Infrastructure

Policy C11 (Digital Infrastructure) of the ALDP requires all new residential developments of five or more units to have access to high-speed communications infrastructure. The Planning Service is aware that ultrafast broadband is available in the surrounding area (on Foresters Avenue), therefore the provision of high-speed broadband for the new properties shall be feasible. A condition is attached requiring all properties to have access to high-speed broadband upon occupation, therefore the proposals are compliant with Policy C11.

Healthy Developments

Policy WB1 (Healthy Developments) of the ALDP requires new developments to provide healthy environments, reduce environmental stresses, facilitate physical activity and promote physical and mental wellbeing. Despite the aforementioned issue of external noise sources on the external amenity areas of the proposed development, the proposals would create a new development of high-quality specialist supported living accommodation for residents with complex care needs. Such accommodation is urgently in need in the city and the provision of the development would enable the future residents to move out of the currently substandard accommodation (or hospital beds) that they currently occupy. The development would also incorporate areas for external amenity and physical wellbeing, including the scooter park. The proposals are therefore compliant with Policy WB1 of the ALDP.

Matters Raised in Representations

The matters raised in the representations received can each be addressed as follows:

- *What impact would the development have on existing residents' parking on Foresters Avenue? The street is a narrow one-way road with insufficient parking at present. Will the development reduce the number of spaces available on the street?*

Response: The existing on-street parking on Foresters Avenue would be unaffected by the proposed development. The new vehicular accesses would be sited on the southern side of the street which is double-yellow lined at present and no existing on-street parking bays would be removed.

- *The plans do not appear to include any proposed redevelopment / new use for the derelict, boarded up former school building adjacent to the application site, although a new vehicular access is proposed to serve that building. What vehicles and how many of them would use that access and for what purpose?*

Response: The new driveway area is proposed for the old former nursery building as that building would require its own vehicular access once the proposed supported living accommodation development has been implemented on the adjacent site. There are no plans for the redevelopment of the former nursery building site at this stage.

- *The proposed development could adversely affect emergency access and road safety on Foresters Avenue*

Response: A Swept Path Analysis drawing has been submitted as part of the application, demonstrating that emergency (fire truck) and refuse collection vehicles would be able to safely enter and exit the development from Foresters Avenue, without detriment to road safety. The Roads Development Management Team are satisfied that the proposals would not result in any road safety issues.

- *Will the driveway area serving the old nursery building be open access or gated?*

Response: No gates are shown on the proposed site plan drawing, therefore the new driveway serving the old nursery building will be open access and not gated.

- *Can additional trees be considered on Foresters Avenue to improve the outlook for existing residents?*

Response: New trees and other soft landscaping will be planted to the front of the application site on Foresters Avenue. Full details of such planting will be included in a detailed landscaping plan to be submitted via condition.

- *The proximity of the proposed bin store area for the new development to Foresters Avenue could have an adverse impact on the free flow of traffic on bin collection days. Can the bin store be moved to the back of the development?*

Response: The Swept Path Analysis drawing demonstrates that refuse vehicles would be able to enter and exit the development site in a forward gear, therefore there should be no adverse impacts on traffic flows on Foresters Avenue on bin collection days.

- *The development should be of the highest design quality. What percentage of the scheme will be dedicated to art, if any?*

Response: The development would be of a sufficient design quality given its intended use and the character of the surrounding area. No public art is proposed, nor is any required by planning policy.

Heads of Terms of Legal Agreement

As the Council is both the applicant and the Planning Authority, a legal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 cannot be concluded in this instance. Instead a relevant legal agreement will be prepared between services in order to secure the payment of the financial contribution towards healthcare facilities. The relevant legal agreement shall be concluded prior to planning permission being issued, should the Planning Development Management Committee resolve to approve the application.

RECOMMENDATION

Approve Conditionally & Legal Agreement

REASON FOR RECOMMENDATION

The noise impact assessment demonstrates that internal noise limits would be achievable subject to the implementation of appropriate mitigation measures and although external noise levels would exceed the guideline maximum, the small-scale of the development and the nature of its intended use are such that the external amenity areas would not be likely to see a significant amount of usage compared to mainstream residential use. Furthermore, the exceedances of the external noise limit would be sporadic rather than a constant ambient background noise. Taking these factors into consideration, along with the urgent need for supported living accommodation in Aberdeen City and the lack of other, more suitable sites for its delivery, it is considered that on balance the aforementioned material considerations outweigh the automatic presumption against

residential development within the 57dB noise contour contained within Policy B3 (Aberdeen International Airport and Perwinnes Radar) of the Aberdeen Local Development Plan 2023 (ALDP). On balance it is considered that satisfactory noise levels would be achieved, in accordance with Policies 23 (Health and Safety) of National Planning Framework 4 (NPF4) and WB3 (Noise) of the ALDP.

The proposed development would create homes with a satisfactory quality of residential amenity for the new occupants, with specialist supported living accommodation to be provided, which is acceptable in accordance with Policy 16 (Quality Homes) of NPF4. The development would not constitute over development, would not adversely affect the character or amenity of the surrounding area and would not result in the loss of any valuable open space, in accordance with Policy H1 (Residential Areas) of the ALDP.

The proposed buildings would all be designed to a Passivhaus (ultra-low energy) standard of environmental performance and would incorporate low and zero carbon energy generating technologies which would ensure that the development would suitably minimise lifecycle greenhouse gas emissions. Existing trees would be retained, and new trees and soft landscaping would be planted on the site. It is therefore considered that the development would make a small, localised contribution towards tackling the global climate and nature crises, would minimise greenhouse gas emissions and would see a net on-site biodiversity gain, in accordance with Policies 1 (Tackling the Climate and Nature Crises), 2 (Climate Mitigation and Adaptation) and 3 (Biodiversity) of NPF4.

The redevelopment of the vacant brownfield site for new housing is acceptable in accordance with Policy 9 (Brownfield, Vacant and Derelict Land and Empty Buildings) of NPF4. The development would be of an appropriate design, scale and layout for the context of the site, in accordance with Policy 14 (Design, Quality and Place) of NPF4 and Policy D1 (Quality Placemaking) of the ALDP and would incorporate sufficient new landscaping whilst protecting existing trees, in accordance with Policies 6 (Forestry, Woodland and Trees) and 20 (Blue and Green Infrastructure) of NPF4 and Policies D5 (Landscape Design) and NE5 (Trees and Woodland) of the ALDP. Sufficient private and communal open space would be provided, in accordance with Policy NE2 (Green & Blue Infrastructure) of the ALDP.

With regards to the requirements of Policy 13 (Sustainable Transport) of NPF4 and Policies T2 (Sustainable Transport) and T3 (Parking) of the ALDP, the proposal has adequate links to the surrounding urban environment and public transport services, and the development is small-scale such that it would not place any pressure on the existing local roads network. The development could be accessed sustainably if desired, although a reasonable level of car parking is required due to the operational requirements of the proposed use.

Suitable developer obligations shall be secured to offset the impact of the development on local healthcare facilities, so as to accord with Policy 18 (Infrastructure First) of NPF4 and Policy I1 (Infrastructure Delivery and Planning Obligations) of the ALDP. The development is compliant with Policy H5 (Affordable Housing) of the ALDP as it constitutes 100% affordable housing.

Technical matters relating to Policies 11 (Energy), 12 (Zero Waste) and 22 (Flood Risk and Management) of NPF4, along with Policies NE4 (Our Water Environment), R2 (Degraded and Contaminated Land), R5 (Waste Management Requirements for New Development) and R6 (Low & Zero Carbon Buildings & Water Efficiency) of the ALDP have all either been addressed satisfactorily or would be addressed via the submission of further information via conditions.

CONDITIONS

(1) 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.

(2) NOISE MITIGATION

The hereby approved dwellings shall not be occupied unless noise mitigation measures achieving at least an equivalent effect of those measures contained within section 7 of the approved Noise Impact Assessment (Sandy Brown: 23055-R01-B – 21 March 2023) have been applied, including;

- a) Installation of windows throughout the development with a minimum sound insulation performance of $R_w + C_{tr}$ 40 dB;
- b) The external wall and roof constructions must have a minimum sound insulation performance of $R_w + C_{tr}$ 48 dB;
- c) Installation of essential mechanical means of ventilation to allow a closed window strategy for noise control;
- d) Installation of a mechanical ventilation system which complies with NR 25 internally within dwellings, with demonstration of this to the satisfaction of, and agreed in writing by, the Council's Environmental Protection Service.

Reason: In order to ensure that external sources of noise from the operations of Aberdeen International Airport are suitably mitigated to allow a satisfactory residential amenity to be created within the new dwellings.

(3) LANDSCAPING SCHEME

Prior to the occupation of any of the hereby approved dwellings, a scheme of hard and soft landscaping covering all hard surfaces, areas of public and private open space and landscaped buffer spaces within the development as shown on approved drawing 2274-MRT-XX-XX-LD-A 90001 Rev D (Proposed Site Plan) shall be submitted to and approved in writing by the Planning Authority. The scheme shall increase biodiversity on the site and include details of:

1. Those areas reserved as private space and those areas that will be freely accessible for all residents;
2. Proposed tree and shrub numbers, densities, locations, species, sizes and stage of maturity at planting;
3. A method statement outlining how any landscaping or other works within the root protection areas of existing trees shall take place whilst protecting and retaining the existing tree rooting environment;
4. Arrangements for the management and maintenance of the proposed open space and landscaped areas; and
5. All proposed hard-surface finishing materials.

All hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed prior to the occupation of the first dwelling. All soft landscaping shall be planted in accordance with the approved scheme by no later than the first planting scheme following the

occupation of the first dwelling.

Any planting which, within a period of 5 years from the completion of each phase of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

Reason: In order to ensure that residents would have adequate access to high quality external amenity space, thus creating a suitable living environment.

(4) BIN STORAGE

The hereby approved dwellings shall not be occupied unless the bin store shown on approved drawings 2274-MRT-XX-XX-LD-A 90001 Rev D (Proposed Site Plan) and 2274-MRT-XX-XX-AD-A 92010 (Proposed Bin Store Details), or similar as may be agreed in writing with the Planning Authority, has been formed in accordance with the approved details and the necessary bins provided within it, ready for use by the occupants of the dwellings and the staff office building upon entry.

Reason: In the interests of ensuring a satisfactory means for the storage and collection of waste.

(5) DRAINAGE

The development hereby approved shall not be occupied unless it is drained in accordance with the details contained in the approved Drainage Assessment (Fairhurst Drainage Assessment – ACC Stoneywood Complex Care – Project Ref: 153870 Issue 2 – May 2023) and the associated Drainage Strategy Layout (153870/2100 Rev B), or such similar drainage details as may otherwise be agreed in writing with the Planning Authority.

Reason: In order to ensure that the development would be adequately drained, would not itself be at risk of flooding and would not increase the risk of flooding to other properties or the Scottish Water sewer network.

(6) CYCLE STORES & EV CHARGE POINTS

The dwellings hereby approved shall not be occupied unless further details of the proposed EV charge point and cycle locker to be installed adjacent to the staff office building have been submitted to, and agreed in writing with, the Planning Authority and the EV charge point, cycle locker, Sheffield cycle stands and passive EV charge point provision are all be installed in accordance with the approved details.

Reason: In order to encourage the use of sustainable and active modes of travel.

(7) TREE PROTECTION

No development shall take place unless the tree protection fencing detailed in the approved Tree Survey (Astell Associates – Ref: FAS-2302-TR – 21 March 2023) and the associated Tree Protection Site Plan (FRS-2303-TP) is in place in accordance with the approved details.

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

(8) LOW AND ZERO CARBON BUILDINGS

No development associated with any particular building shall take place unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and approved in writing by the planning authority. Thereafter no building shall be occupied unless any recommended measures specified within that scheme for that building for the reduction of carbon emissions have been implemented in full.

Reason: to ensure that the development complies with requirements for reductions in carbon emissions specified in the City Council's relevant published Supplementary Guidance document, 'Low and Zero Carbon Buildings'.

(9) WATER EFFICIENCY

No development associated with any particular building shall take place unless a scheme of water efficiency for the development has been submitted to and approved in writing by the planning authority. The statement should take into account 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 no building shall be occupied unless the approved measures have been implemented in the construction of the development.

Reason - In order to reduce pressure on water abstraction from the River Dee and the impact on water infrastructure.

(10) EXTERNAL LIGHTING

No development shall take place unless a scheme of external lighting for the development has been submitted to and approved in writing by the planning authority. Thereafter no building shall be occupied unless the external lighting covering the car parking spaces, footpaths and communal areas has been implemented in accordance with the approved details.

Reason - In order to create a suitable residential & visual amenity and ensure public safety.

(11) FULL FIBRE BROADBAND

No unit shall be occupied unless a full fibre broadband connection to each dwelling has been installed.

Reason: In order to provide all dwellings with access to high-speed communications infrastructure, in accordance with the requirements of Policy CI1 (Digital Infrastructure) of the Aberdeen Local Development Plan.

(12) SITE INVESTIGATION AND RISK ASSESSMENT

No development shall take place unless a scheme to deal with any contamination on or within the site has been submitted to and approved in writing by the planning authority. The scheme shall follow the procedures outlined in Planning Advice Note 33 (Development of Contaminated Land) and shall be conducted by a suitably qualified person in accordance with best practice as detailed in BS10175 (Investigation of Potentially Contaminated Sites - Code of Practice) and other best practice guidance and include:

- (i) an investigation to determine the nature and extent of contamination;
- (ii) a site-specific risk assessment; and

- (iii) a remediation plan to address any significant risks and ensure the site is fit for the use proposed.

Thereafter no building shall be occupied unless:

- (i) any long-term monitoring and reporting that may be required by the approved scheme of contamination or remediation plan or that otherwise has been required in writing by the planning authority is being undertaken; and
- (ii) a report has been submitted and approved in writing by the planning authority that verifies that remedial works to fully address contamination issues have been carried out.

Reason - In order to ensure that the site is fit for human occupation in accordance with Policy R2 - Degraded and Contaminated Land.

ADVISORY NOTES FOR APPLICANT

(1) RECOMMENDED SOFT LANDSCAPING SPECIES

The following comments are recommendations on the types of species of trees and other soft landscaping that would be appropriate for the site, in order to assist the preparation of the detailed landscaping scheme required by Condition 3:

A landscape buffer is shown on the proposed site layout along the northern boundary of the site. To provide screening between the proposal site and the existing houses to the north in Foresters Avenue, mixed evergreen shrubs with mature heights of up to 3m, together with small native trees planted @5m spacing would be appropriate. Native trees such as Rowan, Field Maple, Hawthorn would be appropriate. Small trees will avoid blocking light to the houses to the north.

For the landscape buffer shown along the western boundary, a mixed native hedgerow interspersed with native Gean (Wild Cherry) or native Birch @10m spacing would be appropriate.

The landscape buffers along the southern boundaries, with existing trees shown to be retained should be underplanted with an appropriate wildflower seed mix. Care must be taken to avoid damaging tree roots. A method statement should be included in the detailed landscape plan to demonstrate this.

A good choice of species for the hedge shown around the shared landscape garden would be native Box (*Buxus sempervirens*). This species could also be used in other locations where hedging is shown. It is evergreen, low maintenance, native, attracts native species including nesting birds, and can be easily maintained at any height required from 0.3m up to 3m. Fruit trees would be suitable for the shared landscape garden.

Small ornamental trees would be most suitable for the scooter park. E.g., Paper bark Maple (*Acer griseum*), Red flowering hawthorn (*Crataegus laevigata*), Tibetan Cherry (*Prunus serrula*) Vilmorin's Rowan (*Sorbus vilmorinii*) or other suitable small ornamental trees.

(2) WASTE MANAGEMENT

Developments of less than 10 properties shall be provided with:

- 1 x 660l general waste bin 1340mm H x 1260mm W x 720mm D (plus 90cm minimum clearance to

- manoeuvre bins)
- 1 x 660l mixed recycling bin 1340mm H x 1260mm W x 720mm D (plus 90cm minimum clearance to
- manoeuvre bins)
- 1x food waste bin 1366mm H x 734mm W x 734mm D (plus 90cm minimum clearance to remove internal bin from front opening casing)

The following costs will be charged to the developer:

- Each 660l bin costs £312.00
- Each food waste container costs £566.00
- Kitchen caddy and caddy liners £0.00
- Delivery fee for 10 or less bins £33.00

General points

- All the waste containers must be presented on the kerbside only on the collection day and must be removed
- from the kerbside as soon as possible. No containers should be permanently stored on the kerbside.
- No excess should be stored out with the containment provided. Information for extra waste uplift is available
- to residents at either www.aberdeencity.gov.uk/wasteaware or by phoning 03000 200 292.
- Further information can be found in the Waste Supplementary Guidance available at:
- <https://www.aberdeencity.gov.uk/sites/default/files/2020-07/7.1.PolicySG.ResourcesForNewDevelopmentUpdateJuly2020.pdf>
- Developers must contact Aberdeen City Council a minimum of ONE month before properties will be occupied. Bins MUST be on site prior to residents moving into properties. A Purchase Order should be raised with Aberdeen City Council using the above details and we will provide further guidance for purchasing the bins.
- If the bin store will be locked and/ or involve a barrier, 8 keys must be provided for each store, providing access to the different collection crews and Recycling Officer for monitoring contamination. These should be dispatched to the Waste Team.

COMMERCIAL

See below for general comments:

- Business premises need to be provided with a bin store to allocate, within the property, the waste and recycling bins
- Commercial waste bins cannot be stored on the street any day of the week as per Council Policy 2009 (Obstructions- Commercial Waste Bins). Infringement on the Council Policy can lead to a fine of £500 per bin as adopted by the Enterprise, Strategic Planning and Infrastructure Committee on 29th August 2013
- There are many waste contract collection providers operating in Aberdeen and each one provides different collection of waste and recycling services. For this reason, business premises need to liaise with their waste contract collection to ensure the correct management of their waste.
- Business premises have a legal Duty of Care covering all the waste they produce. This means that it is the Business premises responsibility to manage and dispose of any waste correctly.

- The Waste (Scotland) 2012 requires that all businesses from 1st January 2014 are required to separate
- paper, cardboard, glass, plastic and metals for recycling. Some businesses will additionally be required to separate their food waste (where food waste >5kg per week).

General tips for site and hopefully the chosen waste collection contractor will detail this but for access, the following is needed:

- o An area of hard standing at storage and collections point(s)
- o Dropped kerb at proposed bin collection point
- o Yellow lines in front of bin collection point
- o Bin storage areas to ideally be provided with a gulley and wash down facility for the interest of hygiene

Additional Trade Waste information can be found in the Waste Supplementary Guidance available at <https://www.aberdeencity.gov.uk/sites/default/files/2020-07/7.1.PolicySG.ResourcesForNewDevelopmentUpdateJuly2020.pdf>