

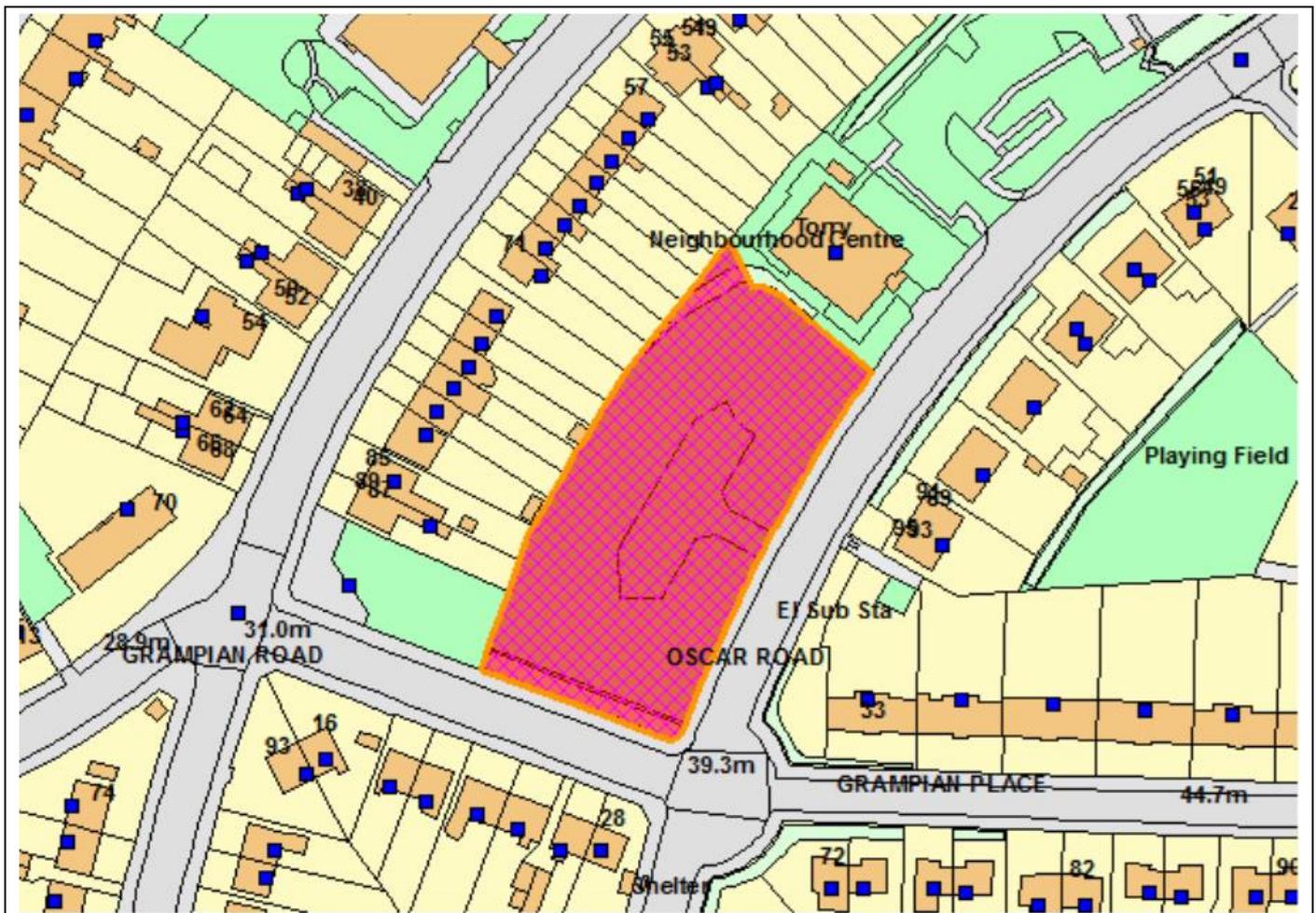


Planning Development Management Committee

Report by Development Management Manager

Committee Date: 14 March 2024

Site Address:	Site of Former Nursery, Oscar Road, Aberdeen, AB11 8ER
Application Description:	Erection of 18-unit affordable housing development (comprising 10 houses and 8 flats) including associated vehicle access/egress, car parking, amenity/open space and other associated works
Application Ref:	231300/DPP
Application Type	Detailed Planning Permission
Application Date:	23 October 2023
Applicant:	MLP Homes Ltd
Ward:	Torry/Ferryhill
Community Council:	Torry



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RECOMMENDATION

Approve Conditionally & Legal Agreement

APPLICATION BACKGROUND

Site Description

This vacant site, which extends to approximately 4,500sqm, was previously occupied by a children's nursery. The building was demolished in 2015 and the site has not since been used, with the access from Oscar Road also disused. The periphery of the site is defined by a mature privet hedge / mature trees which form a strong edge to the street boundaries. The site has a slight westerly aspect and there are significant level changes in surrounding land such that the floor levels of the properties on Grampian Road lie around 5m below the site levels. To the north of the site lies Torry Medical Centre which is a 2-storey building set back from the street with first floor windows overlooking the site. Further to the north-east on Oscar Road lies Torry Sports Centre which has extensive surface car parking. Other nearby community facilities including churches, a public house and the new Greyhope Primary School / community hub. There is a mix of forms and types of dwellings in the surrounding area including 1½ storey semi-detached houses and 2 and 3 storey flatted blocks.

Relevant Planning History

A pre-application enquiry for residential development of the site (erection of 26 houses) was submitted in August 2021 (ref. 211244/PREAPP). The response provided in October 2021 concluded that such development would have adverse environmental impacts (e.g. loss of established trees and open space) and represents overdevelopment of the site. It was considered to be an inappropriate design solution. Substantial amendment of the proposal, including reduction of scale / footprint of development, was requested in order to achieve an acceptable and more sustainable design solution.

APPLICATION DESCRIPTION

Description of Proposal

Planning permission is sought for the redevelopment of the site as housing. A mix of 10 terraced houses and 8 flats is proposed, all of which would be social rented. Four 1-bed flats are proposed. The remainder of homes would have 4 or 5 bedrooms. The homes would be formed in three 3-storey blocks laid out in a symmetrical courtyard arrangement fronting onto a communal car parking court. A total of 18 communal parking spaces (100%) are proposed with active electric vehicle (EV) charging for 4 spaces. A single vehicular access point is proposed at the existing access point from Oscar Road. Associated private garden ground, communal landscaping, and drainage facilities would be provided. All units would have access to private external garden areas and drying facilities. In addition, the upper floor flats facing Oscar Road would have private balconies. Communal bin storage would be provided adjacent to the car park / pedestrian access points, accessed from Oscar Road. The buildings would have external walls clad with brick, including Flemish bond feature panels. The roofs would be pitched / hipped and clad with synthetic slates. The floor level of the proposed houses at the rear of the site would be set around 1m below the level of Oscar Road. The rear wall of the main terrace would be set 14m from the boundary with the rear gardens of properties on Grampian Road. Air Source Heat Pumps (ASHP) would be provided on the rear elevations of the dwellings.

Amendments

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

- Revised site layout / access
- Reduction in total number of units from 20 to 18.
- Revised landscaping, boundary treatment and tree retention.
- Revised house design, reduced floor levels, and deletion of balconies

- Increased separation distance from housing on Grampian Road.
- Relocated communal bin storage.
- Addition of green roofs.

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=S2MPTSBZGQ500>

- Tree Survey
- Ecological Survey
- Design and Access Statement
- Transport Statement (TS)
- Drainage Strategy / Flood Risk Assessment
- Overshadowing / Daylight Analysis

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because of the number of objections, there is objection from ACC Roads Service and the recommendation is approval.

CONSULTATIONS

ACC - Housing – No objection. Advise that the development is for 100% social rented housing which will be delivered for Hillcrest Housing Association. The site is included in the SHIP 2024/25 – 2028/29 and will be prioritised for funding. The development meets housing need and demand and will provide much needed family homes and 1 bed flats.

ACC - Developer Obligations – No objection. Request contributions regarding enhancement of healthcare (£17,864) core paths (£13,020) and open space (£4,260). Note that the development is for 100% affordable housing.

ACC - Land and Property Assets – No objection or comments.

ACC - Schools Estates Team – No objection. Advise that adequate school capacity exists.

ACC - Roads Development Management Team – Object regarding potential conflict between reversing vehicles within the proposed courtyard car park and other users. Consider that 6 of the 18 parking spaces (4 of which are accessible) are unsafe as they would require drivers to reserve for a prolonged distance through a shared-use area, past multiple cars and past the site access. No objection regarding the proposed site access and servicing / waste uplift arrangement. Consider the level of car parking proposed to be adequate, subject to provision of an on street car club vehicle to address potential overspill car parking pressure in the adjacent area. Consider that full provision of EV chargers is required as per Transport & Accessibility Aberdeen Planning Guidance. All spaces would require active EV charging infrastructure in line with the standards. Residential Travel Packs should be provided to residents, secured through a planning condition. Consider that the proposed surface water drainage arrangements would be appropriate. Do not identify any requirement for off-site road infrastructure enhancement or mitigation (e.g. road / pedestrian / cycle / public transport facilities) other than contribution to ensure car club space provision on Oscar Road (£11,208).

ACC - Waste and Recycling – No objection. Advise that the development will be served by

communal waste bins located on site.

ACC - Structures, Flooding and Coastal Engineering – No objection. Advise that there are no recorded flooding incidents in the area, no nearby watercourse and the Flood Risk Assessment shows that there are no SEPA flood extents.

ACC - Environmental Health – No objection subject to provision of suitable noise attenuation measures to protect occupants. Provide advice regarding construction noise.

ACC - Contaminated Land Team – No objection. Advise that the potential for contamination of the site resulting from its previous use is low. Recommend that a contaminated land risk assessment is carried out prior to development.

Police Scotland – No objection. Recommend that the developer should liaise with the Police Scotland Architectural Liaison Officer service.

Disability Equity Partnership (DEP) – No objection. Provide detailed comments regarding the internal and external layout / design of the development, communal bin storage, maintenance of landscaping, surface water drainage and heating technology. Note that erroneous information regarding connectivity to schools is provided in the transport statement (now addressed).

North East Scotland Biological Records Centre – No objection / records.

Scottish Water – No objection. There is currently sufficient capacity for a foul only connection in the Nigg Waste Water Treatment works. For reasons of sustainability and to protect against potential future sewer flooding, Scottish Water will not accept any surface water connections into their combined sewer system.

Torry Community Council – No response received.

REPRESENTATIONS

A total of 16 objections have been received raising the following matters:

- Overdevelopment (excessive building height, scale and massing).
- Inappropriate development form (3 storey houses) relative to existing lower scale houses.
- Overlooking / privacy impact due to proximity and scale of proposed terraced housing, the proposed balconies and windows to existing housing and private gardens.
- Adverse shading impact on and loss of sunlight to adjacent residents – adequate analysis required taking into account level changes.
- Inadequate rear garden sizes.
- Conflict with ACC guidance regarding amenity.
- Inadequate car parking provision on site / potential overspill parking pressure.
- Possible road safety impacts and traffic generation, including adverse impact on safe routes to new primary school.
- Inadequacy / inaccuracy of submitted TS.
- Traffic history record in area not recognised.
- Impact on air quality.
- Adverse noise impact on residents, including due to location of play area / Air Source Heat Pumps (ASHP), use of balconies, bins and traffic.
- Light pollution impact on nearby residents.

- Tree loss / impact and encroachment of development into root protection areas.
- Contradictory information regarding tree retention.
- Excessive vegetation loss, adverse wildlife impact and contravention of National Planning Framework 4 policy 3.
- Surface water drainage impact and inadequacy of proposed SUDS – reduced surface water discharge required.
- Increased crime and anti-social behaviour (e.g. due to location of play area).
- Inadequate track record of applicant.
- Relocation of bin stores to Oscar Road frontage is required.
- Relocation of ASHP to frontages preferred.
- Impact on boundaries / adequacy of ground conditions adjacent boundary to prevent land slippage due to excavation (e.g. for SUDS).
- Potential for provision of drive / path access to rear gardens of adjacent property.
- Impact on medical centre capacity.
- Alternative use of the site should be considered.
- The appropriateness of the development for people with disabilities requires consideration.
- Lack of site investigation for contamination.
- Engagement with the local community is required.

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)

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 following policies apply:

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 3 (Biodiversity)
- Policy 5 (Soils)
- Policy 6 (Forestry, Woodland and Trees)
- Policy 7 (Historic assets and places)
- 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 19 (Heat and Cooling)
- Policy 20 (Blue and Green Infrastructure)
- Policy 22 (Flood Risk and Water Management)

Aberdeen Local Development Plan 2023 (ALDP)

The site is identified as the main part of an opportunity site for development (OP103) in the ALDP. The following ALDP policies are relevant:

- Policy CF1 (Existing Community Sites and Facilities)
- Policy CI1 (Digital Infrastructure)
- Policy D1 (Quality Placemaking)
- Policy D2 (Amenity)
- Policy D4 (Landscape)
- Policy D5 (Landscape Design)
- Policy D6 (Historic Environment)
- Policy H1 (Residential Areas)
- Policy H3 (Density)
- Policy H5 (Affordable Housing)
- Policy I1 (Infrastructure Delivery and Planning Obligations)
- Policy NE2 (Green and Blue Infrastructure)
- 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 for New Developments)
- Policy R6 (Low and Zero Carbon Buildings and Water Efficiency)
- Policy R8 (Heat Networks)
- Policy T2 (Sustainable Transport)
- Policy T3 (Parking)

Supplementary Guidance (SG)

- Planning Obligations

Aberdeen Planning Guidance (APG)

- Amenity and Space Standards
- Materials
- Landscape
- Affordable and Specialist Housing
- Transport and Accessibility
- Open Space and Green Infrastructure
- Natural Heritage
- Flooding Drainage and Water Quality
- Trees and Woodlands
- Food Growing
- Outdoor Access
- Waste Management Requirements for New Development
- Resources for New Development

Other National Policy and Guidance

- **Naturescot Developing with Nature guidance:**
<https://www.nature.scot/doc/developing-nature-guidance>

- **Designing Streets 2010:**
<https://www.gov.scot/publications/designing-streets-policy-statement-scotland/documents/>
- **Planning Advice Note (PAN 67) - Housing Quality**
<https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2003/02/planning-advice-note-pan-67-housing-quality/documents/0026427-pdf/0026427-pdf/govscot%3Adocument/0026427.pdf>
- **PAN75 – Planning for Transport :**
<https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2005/08/pan-75-planning-for-transport/documents/pan75-planning-transport-pdf/pan75-planning-transport-pdf/govscot%3Adocument/PAN75%2BPlanning%2Bfor%2BTransport.pdf>
- **PAN 77 – Designing Safer Places**
<https://www.gov.scot/publications/planning-advice-note-pan77-designing-safer-places/documents/>
- **PAN 78- Inclusive Design:**
<https://www.gov.scot/publications/pan-78-planning-building-standards-advice-note-inclusive-design/documents/>
- **PAN 2/2010 – Affordable Housing and Housing Land Audits :**
<https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2010/08/pan-2-2010-housing-land-audits/documents/pan-2-2010-pdf/pan-2-2010-pdf/govscot%3Adocument/pan%2B2%2B2010.pdf>
- **Planning Circular 3/2009 : Notification of Planning Applications:**
<https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2009/04/scottish-planning-series-planning-circular-3-2009-notification-planning-applications/documents/0079583-pdf/0079583-pdf/govscot%3Adocument/0079583.pdf>
- **Planning Circular 4/1998: the use of conditions in planning permissions:**
<https://www.gov.scot/publications/planning-circular-4-1998-use-of-conditions-in-planning-permissions/>

Other Material Considerations

- ACC Local Housing Strategy 2018-2023 (LHS):
<https://www.aberdeencity.gov.uk/sites/default/files/2018-09/Local%20Housing%20Strategy%202018-2023.pdf>
- Aberdeen City and Shire Housing Need and Demand Assessment 2023-2028 (HNDA):
<https://aberdeencitycouncil0365.sharepoint.com/sites/Project-HNDA/Shared%20Documents/Forms/AllItems.aspx?id=%2Fsites%2FProject%2DHNDA%2FShared%20Documents%2FFinal%20Draft%2FHNDA%20Final%20%2D%20Jan%2024%2Epdf&parent=%2Fsites%2FProject%2DHNDA%2FShared%20Documents%2FFinal%20Draft>
- Aberdeen City and Shire Housing Land Audit 2023 (HLA):
https://www.aberdeencity.gov.uk/sites/default/files/2023-09/Aberdeen%20City%20and%20Aberdeenshire%20HLA%202023_0.pdf

- ACC Open Space Audit 2010 (OSA):
https://www.aberdeencity.gov.uk/sites/default/files/2010_openspaceaudit_report_appendices.pdf

EVALUATION

Principle of Development

The principle of re-use / redevelopment of brownfield land within the build-up area of the city accords with NPF4 policy 9 and wider sustainability objectives. The delivery of high-quality affordable housing within an accessible well-connected urban location accords with NPF4 policies 15 and 16.

The ALDP identifies the site as an Opportunity Site (OP103) but does not specify the anticipated end uses. However, the Reporter's ALDP report of examination of the local development plan included reference to the site being developed for residential purposes. ALDP policy CF1 allows for alternative (non-community) uses which are compatible with adjoining uses. The residential uses proposed are in principle compatible with the wider residential area and the adjacent medical centre. As the site is not used as a nursery, there would be no loss of community facilities. Thus, there is no conflict with policy CF1. The delivery of social rented housing accords with key objectives of the HNDA and LHS. The HLA demonstrates that there is adequate effective housing land available in the Aberdeen housing market area. Approval of the development would contribute to that supply as the site has been marketed for sale by ACC.

Design and Scale

The ALDP OP 103 designation does not refer to the need for a masterplan or a development or planning brief for the site. Nor does it identify its associated constraints or the desired scale, form and nature of development. The scale of the site is such that a planning brief or masterplan has not been undertaken. However, the extensive detailed nature of the submitted design statement demonstrates that the development solution has been derived from a clear and thorough understanding and evaluation of the site's context, its constraints and its key features. The design statement addresses the key development constraints and opportunities as identified at pre-application stage and responds to the density and scale concerns identified during the application submission.

Whilst the site lies within an urban area of varied form, age and heights of buildings, the openness and extent of greenspace within the site currently provides a degree of amenity for adjacent residents, which would be affected by any redevelopment. However, given the Opportunity Site designation and previously developed nature of the site it is unreasonable to expect that the site would remain undeveloped and that all existing greenspace would be retained. The amended design solution ensures the retention of the majority of such greenspace (i.e. around 65% of the area identified as open space in the OSA) including the main trees and hedging around the site edge.

The layout and form of development has been influenced by the site context /setting, provision of adequate amenity levels for occupants and neighbours, the need to avoid parking /access roads over-dominating the external space and adversely impacting on the setting of the development, the need to retain trees / greenspace and the need ensure adequate surveillance of car parking.

The terraced / courtyard form of housing proposed would ensure a strong sense of place and positive relationship with the road frontage in accordance with the design quality objectives of Designing Streets. The number and form of homes proposed and the provision of larger family type houses have been influenced by the desire of ACC Housing Service to address social housing demand and the site capacity expectations set out in the ALDP. These considerations are key determinants of the development solution.

The overall design solution is therefore considered to accord with the objectives of NPF4 policy 14 and ALDP policies D1 and D4.

Density

The ALDP Opportunity Site (OP103) designation does not specify the desired density of development. However, the Reporter's ALDP report of examination of the local development plan included reference to an indicative capacity of 45 housing units on the site. Given that figure, it is clear that it was not anticipated that the site would be a low-density suburban housing development and that it would have a higher density in accordance with the expectations of ALDP policy H3. The development would have density of 40 units per hectare and whilst this is not considered to be a high level of density, it is in this instance considered to be an appropriate density. The density figure is influenced by the need to take into account site constraints (e.g. retention of trees and greenspace) and the specific context of this site, which includes a mix of two storey flatted properties and 3 storey tenement flats.

Residential Amenity

Impact on Existing Amenity

Given the proposed residential uses there would be no fundamental conflict with adjacent residential uses or insurmountable adverse noise impact on existing occupants. Whilst there would be a degree of overlooking of adjacent rear gardens and the rear of houses on Grampian Road from upper floor proposed rear windows, such private garden ground is already potentially overlooked from adjacent houses. There is adequate separation distance with such houses (41.5m). The proposal has been amended to delete balconies which were proposed overlooking adjacent private gardens, to relocate bin stores and to delete a play area which could have resulted in unacceptable adverse impact on amenity and to increase the separation distance with the adjacent houses on Grampian Road. The submitted overshadowing and daylight analysis is considered to demonstrate that any impacts on existing dwellings would be limited. Cross sections and shadow-cast analysis have been provided to assess impacts such as over-domination of buildings, overlooking of garden ground and loss of sunlight and daylight. The degree of separation is such that the effects of the development on adjacent amenity would be limited and would not warrant refusal, particularly given that the site has been identified as an opportunity site and any residential development, other than bungalows, would result in a degree of overlooking. A condition is recommended to ensure that light spillage/pollution from external lighting is minimised to protect existing residents. As there would be no substantive detriment to the amenity of the surrounding residential area, the proposal accords with NPF4 policy 14 part c. and ALDP policy H1.

Amenity for Occupants

The proposed layout would provide private garden ground for all dwellings, including opportunity for external seating and clothes drying. Whilst the length of private rear gardens of houses (generally 9m) would be less than specified in the Amenity APG (11m), this is as a result of the need to ensure retention and protection of existing boundary trees / hedging which contribute positively to residential amenity. Communal amenity space would also be provided with opportunity for informal play, food growing, passive recreation, nature and tree planting. These spaces would be well orientated and secluded from vehicles in accordance with Amenity APG. Residents would also benefit from the open outlook from the dwellings and the mature landscape setting of the grounds, whereby existing assets such as the mature tree planting and trees at the boundaries would largely be retained. Overall, the proposed development solution and levels of amenity achieved satisfy the amenity objectives of ALDP policy D2. The site does not lie within a noise sensitive location and there are no conflicting commercial uses, or busy roads in the vicinity, such that there is no requirement for noise mitigation measures or assessment to protect amenity.

Open Space / Greenspace

Whilst parts of the site were identified as open space within the Open Space Audit in 2010, there is no public access to such areas and they do not provide recreational or formal open space. The affected areas were defined as institutional grounds and were not accessible to the public. Thus, there is no loss of public open space. The main areas of value (i.e. the hedging and trees at the site boundaries) would largely be retained. Whilst the proposal would result in a degree of loss of existing greenspace (e.g. trees / hedges / shrubs) within the site and therefore conflicts to an extent with ALDP policy NE2 and related guidance, this does not warrant refusal as retention of such areas would prejudice redevelopment of the site.

Significant usable communal and private open space is proposed. The extent of private garden ground proposed for residents, including flats, would provide opportunity for passive recreation, play space and food growing. The extent of accessible public open space, relative to communal amenity space / garden ground would be limited, such that there would be a degree of conflict with ALDP policy NE2 and related open space guidance which expects provision of natural greenspace, play space, allotments and recreation space within housing development. However, given the limited size of the site and its brownfield nature, it is not reasonable to expect full compliance with the APG.

The development would likely impose increased pressure on the wider open space network. Contribution to enhancement of this has therefore been sought in accordance with policy NE2 and to address the omission of provision of allotments and recreation and play space within the development. Given the variety and quality of open space provided, and developer obligations toward enhanced open space provision, any tension with this policy is not a fatal conflict.

Trees

The existing mature trees and hedges lining the site boundaries are a significant local amenity and landscape asset and their substantive retention has been enabled by the revised layout / design solution. Detailed consideration of how the trees and hedges inform the design solution has been made in the design statement. Whilst there would be a degree of tree loss, this would be the case with any development of the site and has been minimised by the layout. The submitted tree protection plan does not take into account the need for hedge protection. Amended tree protection measures and replacement / mitigatory tree planting can be secured by applying a condition to the planning permission in accordance with NPF4 policy 6 and ALDP policy NE5 and related guidance. The set back of the buildings relative to the site edges is such that the retained trees and hedges would be unlikely to be at risk of future removal due to shading impact on prospective occupants / location within private gardens and would provide a valuable mature landscape setting.

Nature / Climate Crises

There are no records of protective species or habitats being present on site and the ecological survey does not highlight presence of any other species of concern. Whilst the development does not affect any sites or species identified as being of natural heritage interest, it would inevitably result in a degree of loss of greenspace, soil and vegetation and thus mitigation measures are required. Whilst a fox has been observed on land adjacent to the site within the wider OP103 designation, such land does not form part of the application site. Applying a condition to the planning permission is recommended to reduce the risk of temporary site works impacting on such land and to protect existing vegetation that would be retained. Elements of the proposed landscape and biodiversity enhancement plan (e.g. avoidance of rock piles within tree / hedge protection areas) are considered to require adjustment in order to address the detailed comment of ACC Natural Environment Policy Team. However, this can be secured by means of applying a condition to the planning permission in accordance with the objectives of NPF4 policies 1 and 3 and ALDP policy NE3, related APG and Naturescot Developing with Nature guidance.

The development includes extensive use of roof mounted solar panels and air source heat pumps (ASHP) which are welcome low / zero carbon technologies. Details of such equipment and water efficiency measures can be secured by a planning condition in accordance with NPF4 policy 2 and ALDP policy R6 and the related APG. Whilst a heat network is being developed in Torry, there is no connection available adjacent to the site. As no heat network zone has been identified in the ALDP and APG regarding Heat Networks has yet to be developed, there is no conflict with NPF4 policy 19 and ALDP policy R8.

Drainage

The site is not identified as being at risk of surface water flooding within SPEA flood risk maps and there is no requirement to consult SEPA in this instance. The extent of development / hard surfacing proposed on site and loss of green space result in increased risk of surface water run-off and potential water pollution. However, the drainage strategy identifies suitable mitigatory permanent SUDS measures to be provided on site to address such risks in accordance with ALDP policy NE4 and related guidance. This, and temporary SUDS measures, can be required by a condition applied to the planning permission. The extent of impermeable surfacing has been reduced and SUDS integrated with greenspace is proposed in accordance with NPF4 policy 22 part c. It is recognised that provision of alternate open water SUDS features (e.g. a detention pond / basin) has not been considered, but is constrained in this instance due to the limited size of the site and perceived safety risks.

Scottish Water have advised that there is adequate potential for foul drainage connection and currently no capacity issues. As the proposal would be connected to the foul drainage system there is no conflict with NPF4 policy 22 part d.

Built Heritage / Conservation

There are no heritage designations directly affecting the site. Given the built-up urban context and limited scale (height) of development, the setting of nearby designated historic features / assets (e.g. Duthie Park designed landscape, the A listed Wellington Suspension Bridge and Balnagask Motte / Tullos Hill scheduled ancient monuments) would not be impacted. Thus, there is no conflict with NPF4 policy 7, HEPS and ALDP policy D6.

Transport Impact

The scale of development is below the threshold whereby a transport assessment is required. The TS has been updated to take account of concerns raised in objection and errors and its summary and conclusions are generally accepted, with the exception of the section regarding travel planning which recommends implementation of a travel plan. The limited scale of the development is such that the additional vehicle traffic generated would have negligible impact on the network and a travel plan would be an unreasonable burden in this case. Other than car club contribution, no contributions are sought in relation to enhancement of off-site transport facilities (e.g. road, pedestrian or bus facilities).

Access

PAN 75 states that:

“Sustainability in housing should come through design in relation to walking, cycling and public transport networks.”

It is noted that the site is served by adopted footpaths along the frontages to Oscar Road and Grampian Place, which provide connectivity to the wider Torry area and nearby public transport provision. Pavement build-outs and dropped kerbs have recently been installed at the junction of Oscar Road and Grampian Place providing safe access to the local primary school. A local shop and community facilities are provided adjacent to the site / within 50m. The southern edge of the

city centre boundary, as identified on the ALDP Proposals Map, lies 530 north-west of the site, and Torry Town Centre lies around 300m away. Both centres, the primary schools and other facilities (e.g. sports centre and health centre) are accessed via existing footpaths, such that there is good connectivity with supporting facilities in accordance with the expectations of NPF4 policy 13 and 15, PAN 75 and ALDP policy T2. Aberdeen Rail Station is around 1.6km walking distance from the site. Various bus stops are located within 100m of the site providing frequent connection into the city centre and other areas of the city for those who are less ambulant. As regards wider recreational path access, residents would benefit from the proximity of the site to the coastal path at Torry (path 78). Although no upgrade of the coastal path is identified, a contribution requirement has been identified in relation to upgrading of the nearby Core Path network in the wider St.Fittick, Balnagask and Tullos areas.

Whilst cycle access may require travel along streets with steep gradients, Oscar Road itself is relatively level. Both it and adjacent residential streets are relatively lightly trafficked such that they are suitable for on-street cycle usage. In terms of cycle facilities in the wider area, this is limited, other than the Wellington Bridge and Riverside Drive shared path. It is accepted that connectivity to the national cycle route 1 and the shared path across the River Dee on Riverside Drive, accessed via Wellington Bridge, is constrained due to the heavy nature and high speed of traffic using the dual carriageways and arterial routes and limited safe and convenient crossing facilities. However, that is a historic situation and has not changed since the site was allocated for development in 2017. No requirement for contribution to enhancement of off-site cycle infrastructure has been identified by ACC Roads.

The use of the redundant vehicular site access would be appropriate and acceptable to ACC Roads. It avoids multiple vehicle access points / driveways onto the public road and enables maximisation of tree and hedge retention. The revised layout and bin storage solution avoids the need for bin lorries to enter the site and enables servicing via the street which is appropriate in this instance.

Parking

ACC Transport and Accessibility APG regarding car parking standards states that :

“Adequate parking is required to maintain the economic vitality of town centres and to prevent overspill parking into surrounding areas. Over-provision of parking spaces can not only reduce amenity but is wasteful use of land, reducing building density which leads to an increase in distances people must walk between adjacent land uses. It also undermines the promotion of sustainable modes of travel which are sought to improve public spaces, reduce air pollution and to fight against climate change.....Developers should consider providing suitable alternatives to residents such as.....membership of a Car Club”. The APG also states “Where it is necessary to accommodate car parking within a private court, no more than 50% of the court should be taken up by parking spaces and access roads”.

In this case, the site does not lie within a town centre or impact on the viability of such centres. The risk of overspill parking and the need for contributions/ mitigation to limit trip generation is considered below.

Whilst the Policy T3 of the ALDP and the Transport and Accessibility APG allows for zero or low car developments in certain situations, it is accepted that zero car development is inappropriate in this context and a degree of on-site vehicle parking is needed. Evidence has been provided that the development would be for social rented housing for a Registered Social Landlord (RSL), such that, in terms of current Transport and Accessibility APG, a reduced on-site parking ratio of 80% applies. Thus, by applying this parking standard, the development, in effect, becomes a low car development. The APG states

“In recognition of the contribution it can make towards sustainable development and reducing demand for car parking, the Council will support and encourage low or no car development where there is evidence that car ownership and use will be low enough to justify proposals....”.

The proposed extent of parking exceeds the 80% ratio. However, as the development includes large family type houses it is considered appropriate to apply a higher parking ratio (of 100%) in accordance with advice provided in 2021 at pre-application stage. Furthermore, PAN 67 advises:

“Parking provision (should) not overwhelm the development’s visual appearance” and PAN77 seeks to ensure *“All vehicle parking should be subject to good natural surveillance”*.

The proposed level of parking and its position relative to the houses and flats meets these expectations.

In considering the appropriateness of the 100% parking ratio, the site benefits from good walking, cycling and public transport accessibility. There would be no adverse impact on the amenity of neighbouring sites through any significant increase in on-street parking pressure on Oscar Road. Complementary measures would be put in place to remove/reduce the need for residents to own a car through the provision of a Car Club vehicle. Whilst it is not anticipated there would be a significant increase in parking pressure on the adjacent streets and notwithstanding the policy desire to reduce car use, the site lies outwith the city centre boundary and outwith any controlled parking zone and thus there is a risk that some overspill parking pressure could occur in the surrounding area. The provision of a car club space and vehicle on Oscar Road has therefore been agreed with ACC Roads Service and would mitigate against the risk of overspill car parking. Whilst some residents consider that parking in the area is highly pressured, that is not evidenced by the parking survey. ACC has no proposals to expand controlled parking zone (CPZ) controls in the area, although it is possible that future enforcement of the ban on pavement parking, as currently occurs on part of Grampian Place, may increase car parking pressure on Oscar Road. The submitted parking survey demonstrates overnight on-street car parking pressure in the immediate area is limited. Oscar Road currently has significant capacity and on street parking (23 spaces, which is 25% of the available spaces) there does not pose significant safety risk relative to parking pressure on a major / though road or public transport route.

ACC Roads have requested that provision of a travel pack be conditioned. Whilst acknowledging residents would likely be well aware of the proximity of the site to existing supporting facilities / centres and nearby public transport, a travel pack would nevertheless have some value. Thus, it is recommended that a condition is applied to the planning permission and that other related physical measures are implemented. Residents would potentially have access to the Car Club. As the nearest existing space is located adjacent to the former Torry library, around 550m walk from the site, provision of an additional space and vehicle closer to the site has been agreed.

A legal obligation can be entered into to ensure that the development is delivered and retained as social rented housing, thereby limiting the likely car parking pressure in the surrounding area. Conditions are recommended to ensure delivery of the proposed on-site car parking and vehicle charging facilities in accordance with the expectations of NPF4 policy 12, ALDP policy T3 and related APG.

Dwellings would have cycle storage provided within each curtilage. This and on-site visitor cycle parking / pedestrian paths can be required by condition in accordance with the expectations of ALDP policy T3 and related APG.

Road Safety Risk

ACC Roads Development Management do not object to the development on the basis of road safety impact on the existing public road network. However, they object on the basis that vehicles within the proposed private car parking court may conflict with other users (e.g. vehicles entering the site) due to the potential need to reverse within the courtyard, across the internal access /egress, for around 15m. The following factors are relevant in considering this matter.

- It is acknowledged and accepted that there is a degree of risk associated with any reversing vehicles.
- Although the courtyard parking area as a shared use space, segregated access for pedestrians would be provided from the public footway to each of the new homes, negating the need for residents/visitors to walk through the parking area. Thus, any use by pedestrians would be limited.
- There would be no requirement for bin lorries to enter the site or turn within it.
- There would be adequate space for any vehicle entering the site to stop within the site, without obstructing the public road, whilst a reversing vehicle completes its manoeuvre.
- Given that the proposal is for residential use, there would likely be limited turnover of vehicles within car parking spaces.
- Given the limited size of the parking area and access, vehicles reversing within the courtyard or entering the site would likely be traveling at low speed.
- Amendment of the parking layout as requested by the Roads Development Management team would impact on the design quality of the scheme and it would not fully eliminate the need for vehicles to reverse within the site.

Noting the above factors, it is considered that the public safety risk identified by the Roads Development Management team is outweighed by the overall benefits of the scheme in terms of delivery of social rented family housing within an identified opportunity site as explained earlier in this report and does not, on the grounds of the potential risk to public safety, warrant refusal of planning permission.

Waste

Implementation of requisite bin storage on site and measures to minimise waste during construction can be required by condition in accordance with NPF4 policy 12, ALDP policy R6 and related APG.

Other Technical Matters

It is presumed that there is adequate telecoms services (e.g. phone, internet) at the site given its location within an urban area and thus no conflict with ALDP policy CI1. It is noted that neither the applicant nor the Council has any responsibility for provision of telecommunications infrastructure, which is delivered by private companies. It is noted that the roll out of full fibre broadband within the city is continuing (in part funded by the Scottish Government) and such services are available in the area. Thus, it would not be reasonable to impose a condition requiring any service upgrade. No evidence exists that that the development would adversely impact on existing TV reception or other telecommunications signals.

The concerns raised by the DEP partly relate to the internal arrangement of the dwellings, which are not matters controlled by Planning legislation. The development proposed is not special needs housing. The agent has responded in detail to the detailed points raised by the DEP and the potential occupation of dwellings by people with disabilities has been considered. The appropriateness of the development for people with disabilities, in terms of the internal arrangement of the dwellings, is ultimately a matter for the RSL (Hillcrest Homes) if/when they decide to adapt any of the properties listed as "wheelchair adaptable", into partial or full use. The external site layout and access arrangement have been revised to enable safe level pedestrian access to the dwellings and to bin

stores for occupants, including disabled users. This is considered to accord with the aspirations of PAN 78. The proposed heating technology (ASHP) is promoted by policy R5 and is considered to be appropriate. The details of the site landscaping will be secured by applying a condition to the planning permission requiring submission of a further detailed landscaping scheme. The surface water drainage arrangements for the site have been designed by an engineer and are considered acceptable.

Infrastructure / Developer Obligations

Contributions as requested by ACC Developer Obligations Team have been agreed and there are no insurmountable infrastructure constraints. The location of the site within an established urban area is such that residents would benefit from access to existing established facilities and there are no insurmountable impact on such assets. Thus there is no conflict relative to NPF4 policy 18 and ALDP policy I1. On-site provision of affordable housing is proposed in accordance with the expectation of ALDP policy H5. The nature and mix of the proposed dwellings has been developed in co-operation with ACC Housing Service and is considered to represent a welcome investment of social family housing within a redevelopment priority area.

Issues Raised in Representations

- Overdevelopment (excessive building height, scale and massing).
Response: Addressed above. The revised development is not considered to represent overdevelopment.
- Inappropriate development form (3 storey houses) relative to existing lower scale houses.
Response: As discussed above the 3 storey form of the houses is considered appropriate.
- Overlooking / privacy impact due to proximity and scale of proposed terraced , the proposed balconies and windows to existing housing and private gardens.
Response: The development has been revised to address privacy concerns and balconies facing Grampian Road deleted.
- Adverse shading impact on and loss of sunlight to adjacent residents – adequate analysis required taking into account level changes.
Response: The development has been revised to address shading concerns and additional cross section provided.
- Inadequate rear garden sizes.
Response: As discussed above the garden sizes are considered adequate.
- Conflict with ACC guidance regarding amenity.
Response: Addressed above
- Inadequate car parking provision on site / potential overspill parking pressure.
Response: Addressed above
- Possible road safety impacts / traffic generation, including adverse impact on safe routes to new primary school.
Response: ACC Roads Service have no safety concerns regarding these specific matters. The route to the local primary school has recently been upgraded by ACC and is safe.
- Inadequacy / inaccuracy of submitted TS.
Response: There revised TS is considered adequate and accurate.

- Traffic history record in area not recognised.

Response: No evidence has been provided of traffic incidents in the area.

- Impact on air quality.

Response: ACC Environmental Health Service have no objection. There is no evidence that adverse impact would occur.

- Adverse noise impact on residents, including due to location of play area / ASHP, use of balconies, bins and traffic

Response: Revised proposals provided. Noise impact resulting from use of the proposed ASHP, or other potential noise impact, has not been raised as concerns by ACC Environmental Health Service and there is no reasonable requirement to provide a noise impact assessment in this instance. There is no evidence that adverse impact would occur.

- Light pollution impact on nearby residents.

Response: This can be addressed by use of a planning condition.

- Tree loss / impact and encroachment of development into root protection areas.

Response: Tree loss / impact would occur but has been minimised by amended proposals.

- Contradictory information regarding tree retention.

Response: Consistent amended drawings have been provided.

- Excessive vegetation loss, adverse wildlife impact and contravention of NPF4 policy 3.

Response: The proposal has been amended to reduce the extent of vegetation loss. Biodiversity enhancement measures can be secured by a planning condition.

- Surface water drainage impact / inadequacy of proposed SUDS – reduced surface water discharge required.

Response: The revised drainage measures are accepted. ACC Flooding Team have no objection to the proposal.

- Increased crime / anti-social behaviour (e.g. due to location of play area).

Response: The play area has been deleted. Redevelopment and active use of the site is considered to reduce risk of anti-social behaviour (e.g. graffiti, dumping of refuse and dog fouling which are evident).

- Inadequate track record of applicant.

Response: This is not a material planning consideration.

- Relocation of bin stores to Oscar Road frontage is required.

Response: The bin stores have been relocated away from the rear of the site.

- Relocation of ASHP to frontages preferred.

Response: Locating such units at frontages would have adverse visual impact. The location of the ASHP at the rear of the dwellings is accepted.

- Impact on boundaries / adequacy of ground conditions adjacent boundary to prevent land slippage due to excavation (e.g. for SUDS).

Response: Ground stability is a matter that would be addressed at building warrant stage. The SUDS have been repositioned away from the site boundary.

- Potential for provision of drive / path access to rear gardens of adjacent property.

Response: This is not a relevant material consideration.

- Impact on medical centre capacity.

Response: This is addressed in the developer obligations and suitable contribution agreed.

- Alternative use of the site should be considered. –

Response : Given that the ALDP identifies the site as a development opportunity, it is not considered necessary or reasonable for the applicant to identify potential alternative uses of the site. Removal of the historic use of the site for community facilities and loss of its potential for alternative community use (e.g. provision of allotments / open space) do not warrant refusal given that the site is identified as an opportunity for development.

- The appropriateness of the development for people with disabilities requires consideration.

Response: The development proposed is not special needs housing. The agent has responded in detail to the detailed points raised by the DEP and the potential occupation of dwellings by people with disabilities has been considered. The appropriateness of the development for people with disabilities, in terms of the internal arrangement of the dwellings, is ultimately a matter for the RSL (Hillcrest Homes) if/when they decide to adapt any of the properties listed as “wheelchair adaptable”, into partial or full use. The design of the development is considered to accord with the aspirations of PAN 78.

- Lack of site investigation for contamination.

Response: There is no evidence that the site is likely to be highly contaminated. Given that the previous use of the site does not result in high risk of contamination, a suspensive condition can be imposed to ensure that a site investigation takes place prior to development in accordance with ALDP policy R2.

- Engagement with the local community is required.

Response: Whilst it is noted that no community consultation was undertaken in advance of the application submission, that is not a statutory requirement in this instance as the proposal is not a major development. The agent has recently undertaken a “drop-in” event in the local community and has appropriately responded to the concerns raised in objection by amendment of the development.

Other Considerations

It is noted that the site has not been actively used since at least 2014, was identified in the 2017 local plan as a development opportunity and has not been subject to any other planning applications or alternative proposals for redevelopment / re-use. This indicates that there is limited interest in its potential as a community or commercial asset and there is risk of long-term dereliction, which would not be in the public interest. The proposed redevelopment and active re-use of the site would benefit the amenity of the wider area (e.g. regeneration of a vacant site). Given the proposed residential uses, the proposal would be unlikely to have significant positive economic impacts, although there would be a degree of employment creation during construction.

Council Interest

Whilst the Council has an interest in the application as owner of the site, there is no requirement to refer the application for scrutiny by Scottish Ministers in this instance as it accords with the development plan.

Heads of Terms of any Legal Agreement

- Restriction of the occupation of the development to ensure that the affordable housing is occupied as social rented housing (as defined in Aberdeen City Council's 'Affordable Housing' Supplementary Guidance), managed and operated by either a Registered Social

Landlord (RSL) or Aberdeen City Council In order to ensure compliance with local plan policy H5 and Aberdeen City Council's 'Affordable Housing' Guidance and because the level of car parking provision within the approved development is based on standards for social rented housing specifically, as opposed to other forms of affordable housing.

- Payment of developer obligations regarding enhancement of healthcare (£17,864) core paths (£13,020) and open space (£4,260), as identified by the developer obligations consultee.
- Payment of contributions for implementation of an on-street car club space and vehicle in the vicinity of the site on Oscar Road (£11,208).

Conclusion

The principle of development accords with the development plan and the identification of the site as a development opportunity in the ALDP. The proposal represents a welcome investment of social rented housing in an appropriate urban regeneration priority area that would rejuvenate a long vacant site. The development is well designed and, subject to imposition of conditions and a legal obligation, the relevant impacts can be mitigated. The relevant concerns and objections raised in representations and by consultees do not warrant refusal. It is considered that the limited degree of safety risk identified is outweighed by the overall benefits of the scheme in terms of delivery of social rented family housing within an identified opportunity site and does not warrant refusal.

RECOMMENDATION

Approve Conditionally & Legal Agreement

REASON FOR RECOMMENDATION

The principle of re-use / redevelopment of brownfield land within the build-up area of the city accords with Policy 9 (Brownfield, Vacant and Derelict Land and Empty Buildings) within National Planning Framework 4 (NPF4) and accords with the OP103 allocation of the site within the Aberdeen Local Development Plan 2023 (ALDP). The delivery of high-quality affordable housing within an accessible well-connected urban location accords with NPF4 Policy 15 (Local Living and 20 Minute Neighbourhoods) and Policy 16 (Quality Homes). As there would be no detriment to the amenity of the surrounding residential area, the proposal accords with NPF4 Policy 14 (Design, Quality and Place) part c. and ALDP policy H1 (Residential Areas). There is no conflict with ALDP Policy CF1 (Existing Community Sites and Facilities) as there is no loss of community facilities. The proposal would result in the limited loss of urban green space. However, given that no public space is impacted and the developer contribution to enhance open space, any tension with ALDP Policy NE2 (Green and Blue Infrastructure) does not warrant refusal in this instance. The proposal would result in a shortfall in terms of quantity of open space when measured against the criteria as set out in policy NE4 (Open Space Provision in New Development). However, given the quality of open space provided, the brownfield nature of the site and developer obligations toward enhanced open space provision, this policy tension is accepted. Whilst there would be a degree of tree loss, compensatory planting is proposed in accordance with NPF4 Policy 6 (Forestry, Woodland and Trees) and ALDP policy NE5 (Trees and Woodland). There is no conflict with NPF4 Policy 7 (Historic Assets and Places), Policy 19 (Heat and Cooling) and ALDP R8 (Heat Networks).

The proposed site layout and design, density, positioning, scale and massing of the buildings would respect the character and appearance of the surrounding area. The development would represent an acceptable mix of sizes of residential units, taking consideration of the identified need for 1-bed flats and family housing. There would be no demonstrable adverse impact on the residential amenity of neighbouring properties and a good quality living environment would be provided for future residents. Sufficient space would be made available for parking, bike and bin storage. The overall

design solution is therefore considered to accord with the objectives of NPF4 Policy 14 (Design, Quality and Place) and ALDP policy D1 (Quality Placemaking), D2 (Amenity), H3 (Density) and D4 (Landscape).

Subject to conditions and a legal agreement to cover developer obligations, and to ensure that the units remain affordable housing in perpetuity, the proposal is considered to comply with NPF4 Policy 1 (Tackling the Climate and Nature Crises); Policy 2 (Climate Mitigation and Adaptation); Policy 3 (Biodiversity); Policy 5 (Soils); Policy 12 (Zero Waste); Policy 13 (Sustainable Transport); Policy 18 (Infrastructure First); Policy 20 (Blue and Green Infrastructure) and Policy 22 (Flood Risk and Water Management) and ALDP policies D1 (Quality Placemaking), D5 (Landscape Design), I1 (Infrastructure Delivery and Planning Obligations), T2 (Sustainable Transport); T3 (Parking), H1 (Residential Areas), H4 (Housing Mix), H5 (Affordable Housing), NE2 (Green and Blue Infrastructure); Policy NE4 (Our Water Environment); Policy NE5 (Trees and Woodland); R2 (Degraded and Contaminated Land), R6 (Waste Management Requirements for New Development), R5 (Low and Zero Carbon Building and Water Efficiency) of the ALDP.

The conflict with ALDP policies NE2 (Green and Blue Infrastructure), and CI1 (Digital Infrastructure) and other impacts do not warrant refusal. The proposal represents a welcome investment of social rented housing in an appropriate urban regeneration priority area that would rejuvenate a long vacant site.

CONDITIONS

(01) DURATION OF PERMISSION

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

Reason - In accordance with section 58 (duration of planning permission) of the 1997 act.

(02) TREE PROTECTION

No development shall take place pursuant to this planning permission unless a further detailed scheme for the protection of all trees to be retained on the site during construction works has been submitted to, and approved in writing by, the Planning Authority and any such scheme as may have been approved has been implemented. No materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in the aforementioned scheme of tree protection without the written consent of the Planning Authority. No fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks.

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

(03) CONSTRUCTION MANAGEMENT

No development shall take place pursuant to this planning permission unless a construction environmental management plan for the site has been submitted to, and approved in writing by, the Planning Authority. This plan shall include site-specific measures in relation to minimisation of disturbance of existing vegetation and soils, minimisation of waste generation and avoidance of risk of water pollution during construction of the development, including temporary SUDS measures. Such scheme shall be implemented in full for the duration of construction works on site. For the avoidance of doubt and in order to avoid disturbance to existing habitat features, no temporary buildings / structures, or storage of materials, supplies, plant, machinery, spoil, waste, / excavated materials, chemicals or fuel shall be located / take place within the zone of influence as identified in

drawing no. ORT-2208-TP B or on adjacent undeveloped land located immediately to the south-west of the site. No fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks of trees / hedges on site.

Reason: To ensure adequate protection of the environment and residential amenity during the construction of the development.

(04) LANDSCAPE AND BIODIVERSITY ENHANCEMENT

No development shall take place pursuant to this permission unless a further detailed scheme of landscaping and biodiversity enhancement for the site has been submitted to and approved in writing by the Planning Authority. This scheme shall include details of :

- (i) Existing landscape features and vegetation to be retained, including protection measures.
- (ii) The location of new trees, shrubs, hedges, grassed / herbaceous areas / ground cover.
- (iii) A schedule of planting to comprise species, plant sizes and proposed numbers and density.
- (iv) The location, design and materials of all hard landscaping works including fences and gates.
- (v) Proposed biodiversity enhancement measures, including specification of green roofs, climbing plants and habitat piles / features.
- (vi) Physical measures to prevent vehicle encroachment onto landscape areas.
- (vii) A programme for the completion and subsequent maintenance of the proposed landscaping and biodiversity enhancement measures.

All soft and hard landscaping proposals and biodiversity enhancement measures comprised in the approved scheme shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the completion of the development or such other date as may be agreed in writing with the Planning Authority. Any planted areas or features which, within a period of 5 years from the completion of the development, are removed / die or become seriously damaged / diseased shall be replaced in the next planting season with others of an extent / species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority.

Reason - In the interests of protection of the amenity of the area, ensure a suitable landscape treatment and amenity for occupants and deliver compensatory planting of biodiversity value.

(05) SITE / PLOT BOUNDARY TREATMENT

The dwellings hereby approved shall not be occupied unless the specific plot / boundary enclosures as shown on drawing X004 - L(9-)001 D. or such other boundaries as may be approved, have been implemented in their entirety, unless otherwise agreed in writing by the Planning Authority.

Reason: In the interest of visual and residential amenity /privacy and to ensure retention of existing boundary hedges / trees.

(06) SITE INVESTIGATION / CONTAMINATION

a) No development shall take place unless it is carried out in full accordance with a scheme to address any significant risks from contamination on the site that has been 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 shall include:

1. an investigation to determine the nature and extent of contamination
2. a site-specific risk assessment

3. a remediation plan to address any significant risks and ensure the site is fit for the use proposed
4. verification protocols to demonstrate compliance with the remediation plan

b) No buildings / dwellings of the hereby approved development shall be occupied unless:

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 a report specifically relating to the buildings has been submitted and approved in writing by the Planning Authority that verifies that remedial works to fully address contamination issues related to the buildings have been carried out.

Unless the Planning Authority has given written consent for a variation, the final building part of the development hereby approved shall not be occupied unless a report has been submitted and approved in writing by the Planning Authority that verifies that the remedial works have been carried out in full accordance with the remediation plan required under b. as set out above.

Reason: To ensure that the site is fit for human occupation.

(07) EMISSIONS REDUCTION

No development shall take place pursuant to this permission unless a scheme detailing compliance with policy R6 (Low and Zero Carbon Building and Water Efficiency) of the Aberdeen Local Development Plan 2023 has been submitted to and approved in writing by the Planning Authority. Thereafter, any recommended measures specified in that scheme for the reduction of carbon emissions and water efficiency have been implemented in full.

Reason: To ensure that the development complies with requirements for reductions in carbon emissions and water efficiency as specified in policy R6 (Low and Zero Carbon Building and Water Efficiency) of the Aberdeen Local Development Plan 2023 and the objectives of Policy 2 (Climate Mitigation and Adaptation) within National Planning Framework 4.

(08) CYCLE PARKING / STORAGE / PATHS

The dwellings hereby approved shall not be occupied unless the plot specific bike storage, communal visitor cycle stands and pedestrian access paths as shown on drawing X004 - L(9-)001 D. or such other drawings as may subsequently be submitted to and approved in writing by the Planning Authority, has been made installed / made available for use.

Reason: In the interest of promotion of sustainable transport methods.

(09) VEHICLE PARKING

The dwellings hereby approved shall not be occupied unless the car parking / turning area hereby granted planning permission has been constructed, drained, laid-out and demarcated in accordance with drawing X004 - L(9-)001 D. of the plans hereby approved, or such other drawing as may subsequently be submitted to and approved in writing by the Planning Authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking / manoeuvring of vehicles ancillary to the development and use thereby granted approval.

Reason: In the interests of residential amenity.

(10) ELECTRIC VEHICLE (EV) CHARGING

No development shall take place pursuant to this planning permission unless a scheme detailing underground electric cabling and associated above ground charging equipment for EV charging on site has been submitted to and approved in writing by the Planning Authority. The development shall not be occupied unless such EV equipment has been provided in accordance with the scheme so

agreed.

Reason: To accord with Aberdeen City Council transport guidance and incentivise the use of electric vehicles.

(11) TRAVEL PACK

No development shall take place pursuant to this planning permission unless a Residents Travel Pack (RTP) has been submitted to and approved in writing by the planning authority. Thereafter the approved travel pack shall be supplied to the first occupants of every residential unit within the development. The RTP shall include information to make occupants of the development aware of sustainable travel options relating to the site /surrounding area by means of provision by the owner of a travel pack to individual tenants on first occupation of dwellings.

Reason: In the interest of discouragement of car use and encouragement of sustainable travel options.

(12) BIN STORAGE DETAILS

The development hereby approved shall not be occupied unless the communal bin stores as shown on drawing X004 - L(9-)001 D or such other drawings as may subsequently be submitted to and approved in writing by the Planning Authority, have been made available for use.

Reason: In the interest of public health and amenity.

(13) SUDS / GREEN ROOF DETAILS

The development hereby approved shall not be occupied unless the permanent site specific Sustainable Urban Drainage works identified in drawing no. J5521-CP-041 A, and green roofs identified on drawing X004 - L(9-)001 D, or such other drawings as may be approved in writing by the Planning Authority, have been implemented in their entirety, unless otherwise agreed in writing by the Planning Authority.

Reason - In order to safeguard water qualities in adjacent watercourses, minimise flood risk and to ensure that the development can be adequately drained.

(14) EXTERNAL MATERIALS

No development shall take place pursuant to this permission unless a scheme and samples detailing all external finishing materials to the roof and walls of the buildings hereby approved has been submitted to, and approved in writing, by the Planning Authority. Sample panels of the external brick finishes, including mortar, shall be provided. Thereafter the development shall be carried out in accordance with the details so agreed.

Reason: In the interest of visual amenity and to ensure a satisfactory finish of the development.

(15) EXTERNAL LIGHTING DESIGN AND SPECIFICATION

No development shall take place pursuant to this permission unless a scheme of external lighting for the site has been submitted to, and approved in writing, by the Planning Authority, including details of any physical lighting measures. Thereafter the development shall be carried out in accordance with the details so agreed.

Reason: In the interest of visual amenity and to ensure protection of adjacent residential amenity due to potential light spillage / pollution.

ADVISORY NOTES FOR APPLICANT

(01) CONSTRUCTION NOISE

Unless otherwise agreed with the Council's Environmental Health Service, development works (including site/ground preparation, demolition, and construction) causing noise beyond the site boundary should not occur outside the following hours:-

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