

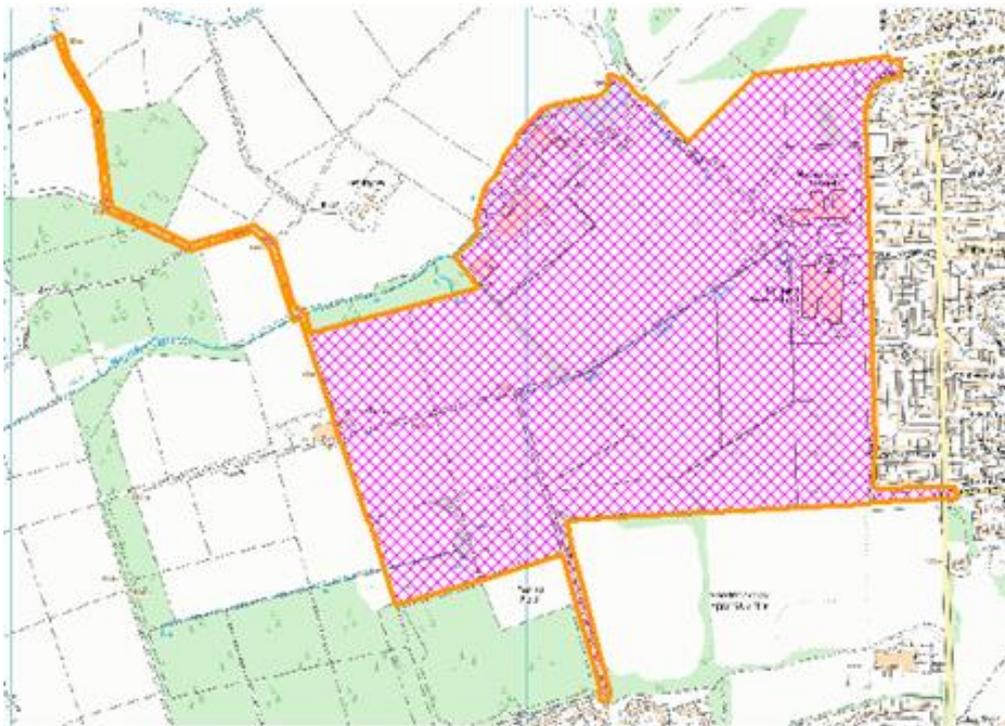


Planning Development Management Committee

Report by Development Management Manager

Committee Date: 14th March 2024

Site Address:	Land at Greenferns, Sites OP28 & OP33, Aberdeen.
Application Description:	Residential-led, mixed use development comprising approximately 1,575 homes, employment use, a neighbourhood centre comprising local retail and commercial provision, leisure and community uses and associated infrastructure including new and upgraded access roads, landscaping, open space and engineering works
Application Ref:	230173/PPP
Application Type	Planning Permission in Principle
Application Date:	10 February 2023
Applicant:	Aberdeen City Council
Ward:	Kingswells, Sheddocksley and Summerhill and Dyce, Bucksburn and Danestone
Community Council:	Bucksburn and Newhills



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RECOMMENDATION

Approve Conditionally, Subject to Notification to Scottish Ministers and Legal Agreement

APPLICATION BACKGROUND

Site Description

The application site is located to the north-west of Aberdeen, approximately 4.75km from the City Centre and is located to the immediate west of the residential area of Northfield. The site extends to approximately 79.9 hectares, with the majority of the land within the ownership of Aberdeen City Council, with the exception of the existing EnerMech facility, which is situated on the northern boundary of the site around Bucksburn House, extending to 6.4ha. There are two existing schools, Heathryburn and Orchard Brae within the eastern portion of the site.

The predominant land-use at Greenferns is agricultural, used for rough grazing and is characterised by a number of small existing fields, and their associated boundaries made up of drystone dykes, drainage ditches, hedging and belts of mature trees.

The eastern boundary of the site is defined by Davidson Drive, with existing housing (typically two storey semi-detached c. 1950s houses) located on the opposite side which overlooks the site. The northern boundary is defined by the Bucks Burn (in addition to the EnerMech Building) and associated mature and ancient woodland along the route of the Burn. Howes Road forms the north-eastern edge, leading from Davidson Drive and intersecting between the two schools and providing them access before continuing forward, and providing access to, EnerMech and then changing into a core path link to Bucksburn.

The site rises gradually from the Bucks Burn before sloping to the south toward the existing sports pitches which line the southern boundary, with the residential area of Sheddocksley located beyond. The western boundary is defined by existing field boundaries and Greenferns Farm, beyond which lies more open countryside and views toward Kingswells and Brimmond Hill.

The site benefits from an existing path and track network and Core Path 44 is located within the application boundary, connecting Springhill Road to the south to the Bucksburn area in the north via Davidson Drive and Howes Road. There is also a track running west from Howes Road to Greenferns Farm and a track which runs south from the east-west route to connect Core Path 45 to the south of the Sheddocksley sports pitches. At Greenferns Farm there is a formal track which runs across the Bucks Burn to connect Core Path 42 to the Greenferns Landward site to the north.

The Bucksburn Local Nature Conservation Site (LNCS) adjoins the northern boundary of the site and is a non-statutory local nature conservation site.

Relevant Planning History

A Screening Opinion (Ref: 220427/ESC) was submitted on the 31st March 2022 in relation to a proposed residential-led mixed use development including approximately 1,650 homes, employment use, neighbourhood centre comprising local retail and commercial provision, leisure and community uses and associated infrastructure including new and upgraded access roads, landscaping, open space and engineering works. The Planning Service responded to this request on the 14th April 2022 advising that an Environmental Impact Assessment (EIA Report) would be required to accompany any future planning application for the site.

A Scoping Opinion (Ref: 220478/ESP) was also submitted on the 31st March 2022 in relation to the above proposals. The Planning Service responded to this on the 10th May 2022 advising on the level of information which would be required to be submitted with an EIA Report.

APPLICATION DESCRIPTION

Description of Proposal

The proposal seeks Planning Permission in Principle (PPiP) for the creation of a new community at Greenferns, forming an expansion to the north-west of the built up urban area of Aberdeen. The proposal is for a residential-led mixed use development comprising up to 1,575 homes and includes the provision for new employment use, with land identified in the masterplan for a potential future expansion of the existing commercial EnerMech facility.

In addition to the residential and employment uses, a neighbourhood centre is proposed, comprising local retail and commercial provision, as well as the potential for leisure and community uses. The proposal also seeks permission for associated infrastructure to serve the new community, including new and upgraded access roads and associated engineering works. Landscaping and an open space strategy is also proposed.

As this is a PPiP application, there is no detailed plans of the exact layout, siting and design of the development. Instead the supporting Development Framework and Masterplan provide a vision and indicative design parameters for how the site should be developed. This would act as a design guide for future approval of Matters Specified in Condition (MSC) applications.

The technical documents submitted in support of the application assess the impacts of creating a new residential and mixed use community at Greenferns. They provide an overarching strategy detailing how the housing, employment and supporting community uses should be built out across the site, set within a strong landscape and open space network. They indicate how the site would be accessed, serviced and delivered through a phasing strategy and identify any technical and environmental constraints and how they can be mitigated and enhanced as a result of the proposed development.

Development Framework and Phase 1 Masterplan: the Development Framework looks at a variety of issues including the existing site context and looks at matters such as landscaping, drainage, access and connectivity, land uses, phasing and infrastructure delivery. The document shows an indicative layout to the immediate west of Davidson Drive and is focussed around the existing schools and proposed neighbourhood centre and also includes the areas of employment land in its northern section. This would provide a location for the renewable energy centre in the first phase of development. The document indicates that between 300 and 394 dwellings would be provided within this phase of development.

Amendments

Various additional documents have been submitted since the original submission. The development description has been amended from a potential total of 1,650 residential units to 1,575. Additional documentation has included further information to address concerns raised by Roads Development Management, SEPA and the Council's Flooding and Coastal Engineering Team. An updated Tree Report and associated documents were also submitted and a revised Developer Obligations response has been provided in relation to primary school contributions only. Further information has been provided in respect of traffic signal modelling on the surrounding roads network.

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=RPV5EABZGFS00>

The Environmental Statement

The Environmental Statement (ES) reports on the findings of an Environmental Impact Assessment (EIA) for the proposed development. An EIA is the process of compiling, evaluating and presenting all of the significant environmental impacts of the proposed development, leading to identification and incorporation of appropriate mitigation measures. The range of the potential impacts considered in the ES fall under the following headings:

- Chapter 1: Introduces the Development
- Chapter 2: Provides further information in relation to the need for the development
- Chapter 3: Discusses the proposed development
- Chapter 4: Consideration of Alternatives
- Chapter 5: Environmental Assessment
- Chapter 6: Figures
- Chapter 7: Population and human health
- Chapter 8: Ecology and nature conservation
- Chapter 9: Land use ground conditions and land contamination
- Chapter 10: Water environment flood risk and drainage
- Chapter 11: Noise and vibration
- Chapter 12: Air quality
- Chapter 13: Landscape and visual impacts
- Chapter 14: Cultural Heritage
- Chapter 15: Disruption due to construction
- Chapter 16: Summary of environmental commitments
- EIA Non-technical summary
- EIA Appendix 1 – Consultations
- EIA Appendix 2 – Draft Construction Environment Management Plan
- EIA Appendix 3 – Cultural Heritage
- EIA Appendix 4 – Ecology (non-confidential)
- EIA Appendix 5 – Air Quality

Other documents forming part of the planning permission in principle application include:

- Development Framework and Phase 1 Masterplan;
- Development Framework Plan;
- Indicative Phase 1 Masterplan Layout;
- Transport Assessment;
- Preliminary Environmental Risk Assessment;
- Technical Addendum – Noise;
- Pre-Application Consultation Report (with associated Appendices);
- Tree Survey Report;
- Tree Survey Schedule & Drawings;
- Planning Statement;
- Drainage Strategy and Flood Risk Assessment;
- Air Quality Impact Assessment;
- Surface Water Features and Hydrogeology.

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because it is an Environmental Impact Assessment (EIA) application for which a valid Environmental

Statement has been submitted. In addition, the proposal is a Major Development and is a significant departure from the adopted Aberdeen Local Development Plan 2023. Consequently, the proposal falls out with the adopted Scheme of Delegation.

Pre-Application Consultation

A Proposal of Application Notice (PoAN) was submitted for the development on the 13th May 2022 outlining the proposed development description and detailing the public consultation strategy to be undertaken prior to submission of any formal planning application.

The public consultation process was undertaken during the defined “Emergency Period” contained within the related Town and Country Planning (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2022 and the engagement operated a hybrid format of both online and face-to-face exhibitions held in the Middlefield Community Hub.

The initial online consultation in June 2022 involved the creation of a dedicated consultation website containing details of the proposed development and an opportunity for the public to feed back. Additionally, a live interactive event took place on the consultation website via a web chat function, which allowed interested parties to ask questions of the design team.

A second face-to-face public drop-in exhibition of the proposals was undertaken in August 2022, where members of the design team were available to discuss the proposals. Feedback forms were provided at this event and a summary of the responses was provided within the Pre-Application Consultation (PAC) Report.

Pre-Determination Hearing

The proposed development is classed a ‘major development’ in terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. The proposal is considered to be a Significant Departure from the Development Plan by virtue of the proposal being contrary to Policy LR1 (Land Release) of the Aberdeen Local Development Plan 2023 in that 400 homes within the application (part of the Greenferns OP33 allocation) are identified for development within the future plan period 2033-2040.

Policy LR1 (Land Release Policy) of the Aberdeen Local Development Plan 2023 states that *“Housing and employment development on sites allocated in the period 2033-40 are safeguarded for future development and will be released by a review of the Local Development Plan. Development on a site allocated in these phases or in close proximity to an allocation that jeopardises the full provision of the allocation will be refused. The housing and employment land sites for the period 2033-40 are as follows; OP33 Greenferns – 400 homes (from a total of 1,350)”*.

Under Regulation 27 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 there is a requirement to give the applicant and persons who have submitted representations to the planning authority in respect of an application for planning permission for either national developments or major developments which are significantly contrary to the development plan an opportunity of appearing and being heard at a Pre-Determination Hearing.

In this regard, a Pre-Determination Hearing was proposed to be held on the 27th June 2023, following the agreement of the Planning Development Management Committee on the 1st June 2023 that such a Hearing be held by them. As no interested parties took up the opportunity to be heard by members of the Planning Development Management Committee, the meeting was subsequently cancelled.

Environmental Statement

The proposal was subject to an Environmental Impact Assessment (EIA) Screening Opinion issued by Aberdeen City Council. This confirmed that the project fell within Schedule 2 Class 10 (b) (Urban Development Projects) of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017. The Planning Authority confirmed that the characteristics of the site and surrounding area had been fully considered and it is likely that there would be a potentially significant impact from the proposed development on the surrounding area. As such it was concluded that an Environmental Statement would be required with the planning application.

CONSULTATIONS

Aberdeen International Airport – have requested the insertion of conditions in relation to the height of buildings, materials and structures, as well as details of landscaping and the submission of a bird hazard management plan. An informative has also been requested in relation to the use of cranes. Their response will be discussed in greater detail in the evaluation section of this report.

Archaeology Service (Aberdeenshire Council) – content with the findings of the EIA report. Have requested the insertion of a condition in relation to the submission of a written scheme of investigation for each phase of development.

ACC - Developer Obligations – have advised of the required developer obligations, which include either onsite core path contributions, or a financial contribution of £613,800, primary education contributions (£7,540,000), healthcare facilities (£1,688,891), on site open space provision, on site community facilities or a financial contribution (£3,017,025), and on-site sports and recreation contributions or a financial contribution (£1,590,600). They have also indicated that the development should provide 412.5 affordable housing units (based on the original assessment).

ACC - Environmental Health – have provided comments in relation to the air quality impact assessment and noise assessment and are generally content with the findings of each. Further conditions will be required for each phase of development to ensure no adverse impact in terms of each issue.

ACC - Schools Estates Team – advise that the site falls predominantly within the catchment area for Westpark School, whilst the area to the north-east of the site sits within the Heathryburn School catchment area. Note that Heathryburn School is currently oversubscribed and would remain so until at least 2027. Note that extending the school to create additional capacity to accommodate the proposed development is likely to be problematic, so it may be necessary to consider making changes to the catchment areas, so that the whole of the proposed development falls within the Westpark School catchment zone. Any changes to catchment areas would be subject to statutory public consultation.

Westpark School has a pupil capacity of 367, and is currently under-subscribed, with a pupil roll of 278. The pupil roll is expected to continue falling over the next five years. However, due to the scale of the proposed development, to accommodate the numbers of additional pupils it is expected to generate, there would be a requirement to significantly extend and reconfigure Westpark School, to create the additional classroom space required. A contribution from the developer would therefore be required to cover the cost of this extension. The contributions to primary education are detailed within the Developer Obligations response.

ACC - Structures, Flooding and Coastal Engineering Team – in principle, from a flooding perspective, the proposal is acceptable and there is no objection to the Planning Permission in

Principle application. The team has requested that the following be included within any future Approval of Matters Specified in Conditions (MSC) application:

- A Flood Risk Assessment;
- A detailed Drainage Impact Assessment for each phase of development;
- The proposed discharge rates for the 3 catchments on the Drainage Strategy and Flood Risk Part 2, page- 7,8 and 9 are acceptable. If proposed impermeable areas are changed, then updated discharge rates should be discussed with the Flooding team.

The team is aware of flooding/drainage issues at Howes Road either from runoff coming from the land north of Howes Road or from capacity issues with the culvert underneath one of the access roads to EnerMech (which has been raised in representations). Given that the masterplan includes the above area, flooding/drainage issues must be considered and addressed within the detailed drainage proposals. Any proposed mitigation measures should be part of the Drainage Impact Assessment for this phase of development. It is noted that the above drainage and flooding issues are affecting a nearby property.

Note that it is not clear from the submitted documents what the proposed arrangements are for the existing field drains and the open watercourse that runs parallel to Howes Road. There is only reference to the partly culverted watercourse that is located in the west of the site. Further information is required for how the site field drains and the watercourse that runs parallel to Howes Road will be incorporated into the masterplan. Further information was received from the applicant in this regard, and Structures, Flooding and Coastal Engineering confirmed no objection, provided the provision of the details are controlled via condition.

ACC Housing – have advised of the affordable housing requirements for the proposed development. Their response will be discussed in greater detail in the evaluation section of this report. It is noted that the development is included in the Strategic Housing Infrastructure Plan to deliver 350 affordable homes.

Police Scotland – have provided some general guidance and recommend that the architects and design teams consult with Police Scotland at the pre-design stage in order to design out crime. An informative will be added in this regard.

ACC - Roads Development Management Team – have no objection to the principle of development, but have requested further survey work on a number of junctions prior to the commencement of development on site. They have also suggested the insertion of a number of standard planning conditions. Their response will be discussed in greater detail in the evaluation section of this report.

ACC - Land and Property Assets – no response received.

Scottish Environment Protection Agency – have no objection to the application on flood risk grounds provided conditions are inserted onto the consent requiring additional information on flood risk is provided once a detailed site layout has been provided (Approval of Matters Specified in Conditions stage), further information in relation to any development on land adjacent to the Bucks Burn, information in relation to the de-culverting of parts of the watercourse through the site from north to south and confirmation that any watercourse crossings would be designed to convey the 0.5% annual probability flood plus appropriate allowance for climate change.

Nature Scot (formerly Scottish Natural Heritage) – do not consider that the effects of the proposal will raise natural heritage issues of national interest and are therefore not providing specific advice. Referred the Council to standing advice and guidance in considering any other effects on nature.

Scottish Water – advise that there is currently sufficient capacity at the Invercarnie Water Treatment works and sufficient capacity at the Persley Wastewater Treatment Works.

ACC - Waste and Recycling – have advised of the Waste Management requirements for the proposed development. Raised specific concerns in relation to the layout of roads, required swept path analysis, location of bins on pick up bays and the location of bin storage facilities in relation to flatted dwellings. It is anticipated that the matters raised would be dealt with at Matters Specified in Condition stage with the detailed required controlled via appropriately worded planning conditions.

ACC - Contaminated Land Team – consider that the potential for significant contamination on the site is low. The site investigation undertaken by Raeburn (comprising 10 boreholes and 25 trial pits) identified only limited made ground deposits (largely associated with former Bucksburn Farm) and the soil samples that were obtained across the site and tested *“do not appear to be indicative of contamination or suggest significant risks to be present”* (Goodson Associates, January 2023).

The Preliminary Environmental Risk Assessment identifies “undocumented infilled ground” and “unknown historical fuel spillage” as “key plausible potential on-site sources” and “recommend an intrusive geotechnical and geo-environmental site investigation is undertaken”. Recommend that a quantitative risk assessment using existing data is carried out in the first instance to inform the requirements for and scope of any future investigation. Suggest that further investigation in and around the former Bucksburn Farm would be sensible.

The Preliminary Environmental Risk Assessment identifies the following additional risk factors:

Radon: The UK Radon interactive viewer confirms that part of the southeast of the site lies in a 1km grid area with maximum radon potential 1-3%. A BGS site-specific radon report was obtained and showed that a small portion of land in the southeast of the site is located in a maximum radon potential of 1-3%. This is likely linked to the area of shallow bedrock identified in Raeburn (2021). Basic radon protection measures are required for development in this area but is otherwise not required.

Unexploded Ordnance (UXO): The majority of the site does not lie in an area considered to be at increased risk from UXO however the area on the far east of the site does lie in an area of moderate bombing density area. An Aberdeen City Air Raid Map15 shows that the far east part of the site lies within an area where two highly explosive bombs are known to have been dropped. A more detailed UXO risk assessment is recommended.

Following the receipt of further information, they confirmed that they were content with the level of information submitted, and any further information could be controlled via appropriately worded planning conditions.

Bucksburn and Newhills Community Council – no response received.

REPRESENTATIONS

Two objections have been received in relation to the application. The issues raised in the representations can be summarised as follows:

1. Concerns regarding the potential loss of trees.
2. Concerns about parking and traffic on the surrounding road network.

3. Concerns about the impact of the development on wildlife, in particular roe deer and pheasants.
4. Concerns in regard to surface water flooding and the impact that the development would have on the property at Howes Cottage. Various photographs and videos were submitted to demonstrate the existing impact of water run off onto Howes Road.
5. Concerns in relation to the Flood Risk Assessment whether this has fully assessed the impact on the surrounding area.
6. Concerns that a new access road would impact on the water supply of neighbouring properties.
7. Concerns about accessing properties during the construction period.

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

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 4 (Natural places)
- Policy 5 (Soils)
- Policy 6 (Forestry, woodland and trees)
- Policy 7 (Historic assets and places)
- Policy 8 (Green belts)
- 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 (Heating and cooling)
- Policy 20 (Green and blue infrastructure)
- Policy 21 (Play, recreation and sport)
- Policy 22 (Flood risk and water management)
- Policy 23 (Health and safety)
- Policy 24 (Digital infrastructure)
- Policy 26 (Business and industry); and
- Policy 27 (City, town local and commercial centres)

Aberdeen Local Development Plan (2023)

The following policies are relevant –

- LR1: Land Release Policy
- LR2: Delivery of Mixed-Use Communities
- OP28 and OP33: Greenferns
- WB1: Healthy Developments
- WB2: Air Quality
- WB3: Noise
- NE1: Green Belt
- NE2: Green and Blue Infrastructure
- NE3: Our Natural Heritage
- NE4: Our Water Environment
- NE5: Trees and Woodland
- D1: Quality Placemaking
- D2: Amenity
- D4: Landscape
- D5: Landscape Design
- R2: Degraded and Contaminated Land
- R5: Waste Management Requirements for New Development
- R6: Low and Zero Carbon Buildings, and Water Efficiency
- R7: Renewable and Low Carbon Energy Developments
- R8: Heat Networks
- H1: Residential Areas
- H2: Mixed Use Areas
- H3: Density
- H4: Housing Mix and Need
- H5: Affordable Housing
- VC12: Retail Development Serving New Development Areas
- I1: Infrastructure Delivery and Planning Obligations
- T2: Sustainable Transport
- T3: Parking
- CI1: Digital Infrastructure
- B3: Aberdeen international Airport and Perwinnes Radar

Supplementary Guidance (SG)

- Planning Obligations

Aberdeen Planning Guidance (APG)

- Air Quality
- Noise
- Amenity
- Materials: External Building Materials and Their Use in Aberdeen
- Aberdeen Placemaking Process
- Landscape
- Aberdeen International Airport

- Affordable and Specialist Housing
- Transport and Accessibility
- Open Space and Green Infrastructure
- Natural Heritage
- Flooding, Drainage and Water Quality
- Trees and Woodland
- Food Growing
- Outdoor Access
- Waste Management Requirements for New Development
- Resources for New Development
- Greenfens Development Framework (2018)

EVALUATION

Environmental Impact Assessment

An Environmental Statement (ES) was required as the development falls within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017. An ES has to identify the likely environmental effects of a project through the study and analysis of individual issues, predicting and assessing the projected impacts and proposing measures to mitigate the effects. Before determining the application, the Council must take into consideration the information contained in the ES, including any further information, any comments made by the consultation bodies and any representations from members of the public about environmental issues. The ES is submitted in support of the planning application, but it is not part of the application itself. However, provided it serves a planning purpose, any information from the Environmental Impact Assessment process may be material and considered alongside the provisions of the Development Plan.

Adequacy of the Environmental Statement

Before considering the merits of the proposed development it is appropriate to comment on the ES submitted in support of the application. There is no statutory provision as to the form of an ES but it must contain the information specified in Part II and such relevant information in Part I of Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 ("2017 Regulations") as is reasonably required to assess the effects of the project and which the developer can reasonably be required to compile. Whilst every ES should provide a full factual description of the development, the emphasis of Schedule 4 is on the 'main' or 'significant' environmental effects to which the development is likely to give rise. An ES must comply with the requirements of the 2017 Regulations, but it is important that it is prepared on a realistic basis and without unnecessary elaboration. It is for the Council to satisfy itself on the adequacy of the ES. If it is deemed to be inadequate, then the application can be determined only by refusal. In terms of the current application, overall the ES is considered to be satisfactory, thus meeting the requirements of the 2017 Regulations.

Habitats Regulations Appraisal

It should be noted that a Habitat Regulations Appraisal (HRA) is not required for the current application as the proposals would not impact on a Special Area of Conservation (SAC) or Special Protection Area (SPA), however HRAs were carried out for both OP28 and OP33 during their retention as allocations within the assessment of the Aberdeen Local Development Plan 2023 (ALDP 2023).

The supporting ALDP 2023 text for OP28 advised that the *“site may be at risk of flooding. Flood Risk Assessment required to accompany future development proposals. Ecological surveys to assess the presence of and effects on protected habitats and species will be required.”* The Planning Service is of the view that an HRA Screening is not required for the site based on the results of the ALDP 2023 Habitats Regulations Appraisal/ Environmental Report, which identified the 3 main factors to be (1) water abstraction pressures of the River Dee (2) woodland bat habitats and (3) potential impacts on the Green Space Network.

The above mentioned matters have been addressed in the submitted Environmental Statement and are also covered by policies R6 and NE1-NE5 of the ALDP 2023, as such no impacts are anticipated on any protected SAC/ SPA sites in terms of HRA requirements, that have not already been mitigated and accounted for in the ALDP policies e.g. *“all new development must install water-saving technologies in accordance with Policy R6”*.

Suitable habitat and ecological surveys were required, to demonstrate no adverse impact on the integrity of the Green Space Network, and this is considered below. This is separate to the HRA requirements as no protected species or habitats of Special Areas of Conservation/ Special Protection Areas which would be affected by the development as there are none in the area.

Principle of Development

The site is allocated in the ALDP 2023 under OP28 and OP33 (Greenferns). The ALDP indicates that these opportunity sites combined would *“constitute a new place of up to 1,470 homes and 10 hectares of employment land, with shops, parks, public transport and community facilities. Situated on the edge of several existing, well-established communities Greenferns will be a unique and recognisable place which also connects and integrates with the surrounding communities through sensitive design, good pedestrian connections and the potential for shared facilities”*.

In relation to the above, the development proposal incorporates the two Opportunity Sites, proposes 1,575 homes, employment use, a neighbourhood centre comprising local retail and commercial provision, leisure and community uses and associated infrastructure, and represents an increase of approximately 105 homes over the combined allocations. The submitted masterplan indicates a well thought out development, which could accommodate the approximate 7% increase in housing numbers over the development site. As a result, there would be no significant conflict with either OP 28 or OP33 (Greenferns) of the ALDP 2023.

Policy LR1 guides the release of greenfield housing allocations across the city, which are split into two delivery periods advising that *“housing and employment development on existing allocated sites and housing sites for the period up to 2032 will be approved in principle within areas designated for housing or employment”* and that *“housing and employment development on sites allocated in the period 2033-40 are safeguarded for future development and will be released by a review of the Local Development Plan. Any proposal for partial development of a site allocated in these phases or for development of an adjacent or nearby site will generally be resisted if this would jeopardise the future delivery of the full allocation.”*

In terms of the development as proposed, it is noted that the majority of the OP33 allocation (950 homes and 10ha of employment land) and OP28 (120 homes) would be programmed for delivery in the first period up to 2032. This element of the proposals would therefore comply with the above policy. The proposal however also includes 400 residential units that sit within the post 2032 future development phase that would be set out in a future LDP. The proposal, however, seeks planning permission in principle for the entire allocation plus some additional units in order to achieve an appropriate level of density and mix of uses within the development site, in line with information that was contained within the Greenferns Development Framework (2018) and that is also presented in

the updated Development Framework and Phase 1 Masterplan that form part of the current application. The applicants set out that the provision of the full allocation is necessary in order to maximise the investment in infrastructure being provided to deliver the proposed mixed-use community.

The provision of the 400 additional homes would therefore represent a significant departure from Policy LR1 of the ALDP 2023. Whilst the wording of the aforementioned policy is noted, (it advises that development would “*will generally be resisted if this would jeopardise the future delivery of the full allocation*”). In this case, there is contentment that an appropriately worded condition would ensure that development in Phase 4 (as set out in the supporting documents – but which may be subject to change in a future approved phasing plan) would not be brought forward until after 2032. This would allow the applicant a degree of certainty and for provision of the full allocation for the proposed development. A departure from the ALDP 2023 is therefore accepted in this instance, principally due to the benefits of a holistic approach to the masterplanning of both OP28 and OP33 allocations as currently set out.

Policy LR2 (Delivery of Mixed Use Communities) of the ALDP 2023 advises that: “*developments including provision for both housing and employment land will be required to service the employment land along with the associated phases of the housing development. This means that the road, water, gas and electricity infrastructure will need to be considered for the whole site.*”

The applicants have submitted a Development Framework and Phase 1 Masterplan in support of the application, which details both the housing and employment land which would be provided on the land, with the majority of the employment uses provided within the earlier phases of development. The documents also set out indicatively how roads would be laid out and how matters such as water and electricity provision would be provided throughout. These details would be finalised in subsequent approvals of matters specified in condition applications to ensure compliance with Policy LR2 of the ALDP 2023.

In terms of elements of the proposal which are located on land designated as green belt, these are indicated to relate to the upgrading of existing paths to improve access to recreational facilities both within and out with the development site. There would be no conflict with green belt policies, which allows for the provision of such works. The proposals would therefore be in compliance with Policies NE1 (Green Belt) of the ALDP 2023 and with Policy 8 (Green belts) of NPF4.

Policy 26 (Business and Industry) of NPF4 states that “*development proposals for business and industry uses on sites allocated for those uses in the LDP will be supported.*” It is noted that part of the site is allocated for an expansion of the existing business use at EnerMech, which is indicated as being provided within the first phase of the development. This element of the proposal is supported by planning policy and its provision would ensure compliance with Policy 26 (Business and Industry) of NPF4.

OP28 is also covered by an H1 (Residential Areas) designation in the ALDP 2023. The submitted phase 1 masterplan indicates that an appropriate level of residential and mixed-use development could be provided over the OP site without resulting in over development of the site or having an adverse impact on residential amenity and on the character and appearance of the surrounding area. Whilst areas of open space would be lost, this is an unavoidable consequence of enabling the development of the OP allocation. Enhanced quality open space provision throughout the development (as demonstrated in the masterplan) is considered to compensate for the loss. Sufficient evidence has also been submitted to show that, in principle, the proposed non-residential elements of the development could be provided without conflicting with the enjoyment of residential amenity. Finalised details would be controlled in subsequent approval of matters specified in

conditions applications, but in principle the proposals would comply with Policy H1 of the ALDP 2023.

In terms of Policy 27 (City, town, local and commercial centres) of NPF4 the proposed development is to include neighbourhood centre comprising local retail and commercial provision, finalised details of which would be provided at a future approval of matters specified in conditions stage. The provision of such would ensure there would be no conflict with Policy 27 of NPF4.

Development Framework, Phase 1 Masterplan & Layout, Siting and Design

NPF4 Policy 14 (Design, quality and place) states that *“Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale”* and *“Development proposals will be supported where they are consistent with the six qualities of successful places: healthy, connected, pleasant, distinctive, sustainable, adaptable”* whereas Policy D1 (Quality Placemaking) of the ALDP 2023 advises that *“all development must ensure high standards of design, create sustainable and successful places and have a strong and distinctive sense of place which is a result of detailed contextual appraisal.”*

The applicants have submitted an updated Development Framework along with a Phase 1 Masterplan in support of the planning application. The Framework has looked at various aspects of the way in which the site could be developed and included landscaping, drainage, access, land use and phasing strategies along with details on infrastructure delivery. It indicates that the residential development blocks would be located along the southern sections of the site (zones E-M), with mixed use blocks (C-D) located in the north-east section of the site adjacent to the employment land and proposed location for the renewable energy centre. It also provides locations for proposed streets, which would include a primary street running through the site linking Provost Rust Drive (north) to Provost Fraser Drive (south) along with a number of secondary streets.

The landscaping is indicated as running through the site and providing a number of landscape buffers based on existing field boundaries and woodland edges, along with the retention of strips around the Bucks Burn, along with the retention of a number of the existing hedgerows. The neighbourhood centre is also shown as being located on the primary bus route, which would likely be served by an extended bus service.

In terms of the phases of development, the first phase would be located to the immediate west of Davidson Drive and would be focussed around the existing schools and neighbourhood centre. This would include between 300 and 394 residential properties along with the proposed employment land at EnerMech, the renewable energy centre and the mixed-use elements of the proposal.

Phase 2 would include between 503 and 624 residential properties and would see development of the central blocks at Greenferns developed and would be one of the four differing densities of development found throughout the development site. A number of green corridors are also indicated as being provided along with primary streets and path connections. Phase 3 would see the provision of between 120 and 154 units and would include the provision of a parkland area adjacent to the Bucks Burn, along with a number of green corridors, path connections and updated linkages to Sheddocksley. Finally, Phase 4 would see the provision of the final phase of development, which would be of a lower density. This would range between 282 and 388 units and would see the completion of Bucksburn Park, the secondary street loop, woodlands and path connections. This area would not be developed until post-2032 for the reasons detailed above.

The levels, densities and types of development shown within the Development Framework and Phase 1 Masterplan are considered to be acceptable and show that a mixed-use development could be provided that is healthy, pleasant, connected, distinctive, sustainable and adaptable. Any

developments could likely be provided that have been designed with due consideration for their context, could provide a high quality of architecture, provide a well-considered layout, provide sustainable transport opportunities, sustain the attractiveness of the city and be distinctive, welcoming, safe and pleasant, easy to move around, adaptable and resource efficient. Finalised details would be controlled via condition (see condition 4 and 7 in particular) but, in principle, the proposals would comply with Policy 14 (Design, quality and place) of NPF4, as well as with Policy D1 (Quality Placemaking) of the ALDP 2023.

In addition to the above, Policy D2 (Amenity) of the ALDP 2023 is of relevance. This seeks to address a number of matters including the optimisation of views through appropriate siting, layout and orientation, the provision of appropriate levels of amenity, public faces to street with natural surveillance, appropriate waste facilities and low and zero carbon technologies, privacy, acceptable levels of floor space, garden grounds and parking. The masterplan and supporting information submitted indicate that all of the above could be adequately provided and confirmation to secure all of the above could be controlled via the submission of details contained within MSC application. In principle, the proposal would comply with Policy D2 (Amenity) of the ALDP 2023.

Housing Mix

Policy H3 (Density) advises that *“the Council will seek an appropriate net density of development on all housing allocations and windfall sites.”* and Policy H4 (Housing Mix and Need) of the ALDP 2023 advises: *“housing developments of larger than 50 units are required to achieve an appropriate mix of dwelling types and sizes, in line with a masterplan.”*

In terms of the density of development, it is likely that these would be finalised at MSC stage, but the submitted masterplan indicates that, given the scale of the site and the levels of development, a range of residential densities would be provided. These would range from low density “city edge” conditions of around 25 dwellings per hectare up to high density “urban character” where blocks of flats and apartments of up to four storeys would be provided. The masterplan also indicates that the development would offer a mixture of housing types and would cover all market sectors. This would include flats/ apartments, terraces and town houses, semi-detached and detached properties. The final mix would be controlled at a future MSC stage.

The level of information submitted to date is considered to be acceptable and it is therefore anticipated that any development would comply with both Policy H3 (Density) and H4 (Housing Mix and Need) of the ALDP 2023.

Policy 16 (Quality Homes) of NPF4 discusses a number of matters including community benefit. Information has been submitted in support of the proposal, which discusses that the proposal will provide 25% of homes as affordable housing, including a number within the first phase of development. The proposals would also include enhanced infrastructure and connections, improve access to core paths and the wider area, would provide a mix of housing including accessible homes, all in accordance with the relevant policies contained within both national and local planning guidance. The proposals would therefore be in compliance with Policy 16 of NPF4.

Policy 15 (Local Living and 20 minute neighbourhoods) of NPF 4 advises: *“development proposals will contribute to local living including, where relevant, 20 minute neighbourhoods.”* In addition to the above, Policy VC12 (Retail Development Servicing New Development Areas) of the ALDP 2023 advises that: *“masterplans for sites allocated for major greenfield residential development will allocate land for retail and community uses at an appropriate scale to serve the convenience shopping and community needs of the expanded local community.”*

The proposals include a mixed used area, which is anticipated to include shops, and other facilities, such as healthcare, which would be utilised by residents and is shown within the Phase 1 masterplan to be included early on in the site development. This would be within a 20-minute walk of all areas of the development site. It is also anticipated that a bus connection would be provided through the site, enhanced walking and cycling facilities would be provided, play area and areas for food growth, sports and recreation and affordable housing would be provided throughout the development. The provision of such facilities would be controlled via appropriately worded planning conditions and would ensure compliance with Policy 15 of NPF4 and with Policy VC12 of the ALDP 2023.

Policy 21 (Play, recreation and sport) of NPF4 advises: *“Development proposals likely to be occupied or used by children and young people will be supported where they incorporate well-designed, good quality provision for play, recreation, and relaxation that is proportionate to the scale and nature of the development and existing provision in the area.”*

The submitted masterplan/ framework document has shown a development that would provide well-designed and useable areas of open space throughout the whole development site. It is anticipated that the development would include other aspects such as play areas and enhanced sports facilities, with finalised details in this regard controlled via planning condition. This would ensure compliance with Policy 21 of NPF4.

Policy WB1 (Healthy Developments) of the ALDP 2023 advises: *“developments are required to provide healthy environments, reduce environmental stresses, facilitate physical activity and promote physical and mental wellbeing. National and major developments, and those requiring an Environmental Impact Assessment must submit a Health Impact Assessment (HIA) to enhance health benefits and mitigate any identified impacts on the wider determinants of health; this may involve planning obligations.”* Policy 23 (Health and Safety) of NPF4 advises *“development proposals that will have positive effects on health will be supported. This could include, for example, proposals that incorporate opportunities for exercise, community food growing or allotments.”*

In regard to the above policy, the submitted information and masterplan documents show a development that would provide large areas of open space and informal recreation areas, which would be seen to promote physical activity and mental wellbeing and the proposals include areas for community food growing and allotments. It is noted that a Health Impact Assessment has not been submitted with the current proposals, with guidance currently limited on the levels of information required for such proposals. The level of information submitted is considered to show that any proposals would comply with Policy WB1 of the ALDP 2023 and Policy 23 (Health and Safety) of NPF4.

Affordable Housing, Developer Obligations/ Infrastructure Delivery

Policy H5 (Affordable Housing) of the ALDP 2023 advises: *“housing developments of five homes or more are required to contribute no less than 25% of the total number of homes as affordable housing. Affordable housing requirements will be delivered on-site.”* Policy I1 (Infrastructure Delivery and Planning Obligations) of the ALDP 2023 advises that in order to *“create sustainable communities, development must be supported by the required infrastructure, services and facilities to deliver the scale and type of developments proposed.* Policy 18 (Infrastructure first) of NPF4 advises that *“a) Development proposals which provide (or contribute to) infrastructure in line with that identified as necessary in LDPs and their delivery programmes will be supported. b) The impacts of development proposals on infrastructure should be mitigated.”*

The applicants have indicated that the site forms part of the Council’s Housing Programme and the Council intend to deliver an initial phase comprising affordable housing and housing for varying needs to meet demand. The provision of affordable housing in an early phase of development is

accepted by the Housing Strategy team, with further details controlled via future MSC applications and subject to details contained within the required legal agreement. This would ensure compliance with Policy H5 (Affordable Housing) of the ALDP 2023.

Developer obligations are required for the proposed development and these have been agreed between the applicant and the Council and will be subject to a legal agreement which will require to be concluded prior to the issuing of planning permission. These include the following contributions towards the core path network £613,800, primary education £7,540,000, healthcare facilities £1,688,891, on site open space provision, on site community facilities (or a financial contribution of £3,017,025) and on-site sports and recreation contributions (or a financial contribution of (£1,688,891). 412.5 affordable homes would also be required to be delivered on site within the development. It should be noted that the above figures were based on the initial assessment for 1650 dwellings, whilst the total number has been reduced to 1575 it would be the intention of the Planning Service to proceed by utilising the total costs of mitigation as per the current assessment and profile that as a “per unit” rate on the basis of 1575.

As the Council is the applicant it is not possible to enter into a Section 75 legal agreement. The applicant is therefore proposing to enter into a Section 69 legal agreement with a draft Section 75 (containing the details of Developer Obligations and other requirements) appended to the document. The Section 75 will therefore need to be concluded prior to a Matters Specified in Conditions approval being granted for that phase of development. It is recognised that an alternative means of agreement may be necessary if the Council is a future applicant. Subject to the provision of the above the proposals would comply with Policy I1 (Infrastructure Delivery and Planning Obligations) of the ALDP 2023 and its associated Supplementary Guidance: Planning Obligations.

Natural Heritage and Landscaping

Policy NE2 (Green and Blue Infrastructure) of the ALDP 2023 advises: *“development proposals will seek to protect, support and enhance the Green Space Network”* whereas Policy 20 (Blue and green infrastructure) of NPF 4 advises that *“development proposals that result in fragmentation or net loss of existing blue and green infrastructure will only be supported where it can be demonstrated that the proposal would not result in or exacerbate a deficit in blue or green infrastructure provision, and the overall integrity of the network will be maintained.”* Development proposals for or incorporating new or enhanced blue and/or green infrastructure will be supported.

Green Infrastructure: In terms of green infrastructure, various documents have been submitted which note that the new green and blue infrastructure and landscape planting has been proposed as an integral part of the masterplan and would provide a network of green spaces and public areas throughout the site. The submitted information also seeks to retain and enhance the existing field boundaries, tracks, walls and trees, along with a buffer zone along the northern boundary with the Bucksburn LNCS. The retention of these features, where possible, would help maintain the linkages with the wider green space and avoid fragmentation of the habitats. Natural elements such as green corridors and existing lines of trees linking woodlands would be maintained to protect connectivity when combined with pedestrian routes.

The submitted masterplan document includes a number of areas of proposed open space, which would include areas indicatively known as Bucks Burn Park (4.65 ha), Heathryburn Park (1 ha), Greenferns Square/ Park (1 ha), Auchmill Park (1.8ha) and Davidson Drive (0.75ha). There would also be a number of other formal landscaped areas throughout the development, which would provide connections to key and existing areas of open space which would include various links within and out with the development site.

The general details are considered to be acceptable and appropriate and indicate that appropriate levels of green and blue infrastructure would be provided within the development site and would require further information to be submitted in any future MSC applications. This would ensure compliance with Policy NE2 (Green and Blue Infrastructure) of NPF 4 and with Policy 20 (Blue and green infrastructure) of NPF4.

Policy D4 (Landscape) of the ALDP 2023 advises that *“development will provide opportunities for conserving or enhancing existing landscape / seascape / townscape elements (natural and built), including linear and boundary features or other components which contribute to character and ‘sense of place”* and Policy D5 (Landscape Design) of the ALDP 2023 advises that *“proposals will be designed with an effective, functional and attractive landscape framework supported by clear design objectives.”*

Landscape Strategy: the submitted documents advise that the existing landscape and ecology of the site have been key elements that have defined the Development Framework in regards to protection, retention and enhancement of the surrounding area. The framework seeks to provide and retain a robust landscape framework which seeks to:

- Ensure that trees/ woodland and hedgerows continue to be an essential element of the site;
- There would be a restriction on the height of buildings within certain sections of the site;
- Density of the development/ phases would be taken into account;
- The woodland along the Bucks Burn would be retained and enhanced to emphasise the importance of the wooded valley as a topographical feature and create a screened urban edge;
- The retention of established trees along Howes Road; and
- The provision of a landscaped framework to ensure that trees/ woodland and hedgerows continue to be an essential characteristic of the development.

The general layout and information provided is considered to be acceptable, with further information controlled via future MSC applications (see conditions 5, 8, 9 and 18). This would help ensure compliance with Policy D4 (Landscape) and Policy D5 (Landscape Design) of the ALDP 2023.

Protected Species:

A number of protected species surveys have been submitted in support of the application and are contained within the EIA report. This report highlights that habitat interest on site is limited to field boundaries and farm tracks, including grassland, scrub and mature trees. The documents note that bats, otter and badgers are resident in the area and carry statutory obligations, with four species of bat found within the survey area.

The report noted that breeding bird quality is limited by the agricultural use of the land, which mainly consists of pastures for rearing livestock and equestrian interests on several of the fields. It also noted that eleven types of breeding birds of conservation concern and three local bird species would be adversely affected by the development. It however, noted that the level of impact would be on a very local scale and would be unlikely to significantly impact on local breeding populations due to low breeding numbers in the locale. Wintering bird interest was noted to be negligible. No invasive species were noted within the development site (such as Japanese knotweed). Further surveys will also be required for each AMSC application (as detailed in conditions 18-20).

A number of mitigation measures have been proposed including the retention of existing corridors, the retention of the northern boundary trees in the interests of bats and birds, the creation of new

green space and SUDS, natural planting and appropriately landscaped sustainable urban drainage systems, the reinstatement of the piped watercourse and strengthened buffers.

Off-site mitigation measures proposed include the preparation of a Construction Environment Management Plan (see condition 17), incorporating a Pollution Plan and the LNCS boundary being considered as an integral part of the development. On site it is proposed to retain the highest value existing habitats and compensate for the loss of habitats via the retention of existing features. This would mainly be done through the retention of boundary features, woodland, hedges and areas of grassland. There would also be a requirement to minimise impact on breeding birds and key bird species mitigation, which would be quantified and confirmed via the submission of further assessments at Approval of Matters Specified in Condition stage and would likely comprise the retention of larger areas of woodland and hedgerows through the development (which has been proposed by the applicants and indicated within the Masterplan/ Development Framework).

The presence of badgers is also noted within the development site. A Badger Protection Plan (see condition 19) will therefore be required to ensure that they are fully protected for each phase of development and any proposed planting should include berry bearing species commonly visited by foraging badgers, although it is noted that this would also have to be designed and planted in such a way as to avoid plants that attract birds to the flight path (as discussed further in the airport response below).

The information submitted in relation to the above has been fully reviewed by the Natural Environment Policy Team, who are generally content with the finding of the report but note that full surveys and species protection plans must be undertaken for birds, badgers, bats and otter and submitted with each application for the approval of matters specified in condition. They also note that the mentioned "site specific habitat and species action plan" should be updated and re-submitted with the corresponding MSC for each stage.

Subject to the provision of the above it is accepted that the proposals would have no detrimental impact from a natural heritage perspective and would therefore comply with the general principles of Policy NE3 (Natural Heritage) of the ALDP 2023, noting that detailed surveys will be required with future MSC applications.

In addition to the above, Policy 3 (Biodiversity) of NPF4 states that an EIA development will only be supported if it ensures "*significant biodiversity enhancements are provided, in addition to any proposed mitigation*".

The relevant EIA chapter almost exclusively speaks about mitigation and compensation measures, however at the PPIP stage limited information in documents of how biodiversity net gain will be attained on the site has been provided. Any future MSC proposals will need to come forward with detailed biodiversity action plans, not only protect existing features, but also to add features and enhance the biodiversity net value on the site to a clear overall net gain. These features should link to the habitats found outside the red line boundary to create connectivity but also prevent unintended changes to habitats from escaped landscaping plants to existing habitats especially in terms of the Local Nature Conservation Site. The provision of such would ensure compliance with Policy 3 (Biodiversity) of NPF4.

A range of core path connections are also proposed through the site, and include Core Path 44: Newhills Avenue to Auchmill Road and Deveron Road, Core Path 45: Deveron Road to Gillahill Croft, Core Path 42: Kingswells Road to Howes Road, Core Path 46: Sheddocksley to Kingswells a, Core Path 15: Manor Avenue to Eric Hendrie Park and Core Path 93: Sheddocksley Urban Circuit. The provision of enhanced connections to these would be of benefit to the development and

adjoining communities, with finalised details of such connections provided through future applications for approval of matters specified on condition.

Policy 1 (Tackling the Climate and Nature Crises) of 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) of NPF4 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.

In relation to the above, whilst the submitted information provides some advice and guidance on how the proposals would comply with the above policies, further information by the way of a biodiversity net gain assessment would be required in support of applications for approval of matters specified in conditions (see conditions 7 and 16-20 in particular). This would help ensure compliance with both Policy 1 and Policy 2 of NPF4.

Policy 4 (Natural places) of NPF4 advises that *“development proposals that affect a site designated as a local nature conservation site or landscape area in the LDP will only be supported where: development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified; any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance.”*

As has been discussed elsewhere, the Bucks Burn Local Conservation Nature site abuts the development boundary to the north. The submitted documents seek to enhance the offering at this location and proposed to retain the existing trees along this northern boundary and provide a robust buffer to the LNCS. It is anticipated that the developments as proposed would not have an adverse effect on the integrity of the LNCS and the proposed enhancements would have key social, environmental and economic benefits to the wider area. The proposals would therefore be in compliance with Policy 4 of NPF4.

Policy 5 (Soils) of NPF4 advises *“development proposals will only be supported if they... minimising the amount of disturbance to soils on undeveloped land; and in a manner that protects soil from damage including from compaction and erosion, and that minimises soil sealing.”*

In this instance there are no areas of peatland or carbon rich soils on site and the proposed layout could be provided to ensure that there would be no significant impact on soils including compacting and erosion and ensure compliance with Policy 5 of NPF4. This would be confirmed via the detailed layout, which would be provided at Approval of Matters Specified in Conditions stage.

Trees and Woodlands

Policy 6 (Forestry, woodland and trees) of NPF4 states that *“development proposals that enhance, expand and improve woodland and tree cover will be supported”* and Policy NE5 (Trees and Woodlands) of the ALDP 2023 advises *“development should not result in the loss of, or damage to, trees and woodlands. Development proposals will seek to increase tree and woodland cover and achieve the long-term retention of existing trees and woodlands that the planning authority consider worthy of retention.”*

In terms of tree cover on site, a Tree Survey Report was submitted in support of the planning application. This noted that, within the site, beech is the most common species, with a number of mature and semi-mature trees occurring in dense rows along the top of old field boundary dykes. There are also a number of mature hedges and the report notes that a number of trees would appear to be in excess of 200 years old. Other trees found within the development site include ash, sycamore, elm, scots pine and larch. The report looked at tree cover, associated constraints,

retention categories and zones of influence and noted that a number of trees were dead and some were in need of maintenance.

The submitted masterplan indicates that development blocks will incorporate appropriate buffer zones to ensure that the root protection of existing tree stock would be maintained and tree protection measures would be installed during development on each block. These matters would be controlled via an appropriately worded planning condition.

The information has been reviewed by the Natural Environment Policy team who have noted that a detailed Tree Survey will be required for each phase of development. This can be controlled via an appropriately worded planning condition. They have also noted the presence of Ancient Woodland Inventory sites located on the northern boundary of the site adjacent to the Bucks Burn. They have noted that the development should retain these woodlands and increase the overall level of woodland cover, which would be best achieved by planting adjacent to the ancient woodland on its northern boundary. This would likely form part of any MSC application for that phase of development and would be controlled via appropriate conditions (see conditions 15 and 16).

The Team note that the supporting information identifies the presence of trees and hedgerows throughout the development and recognise this is positive in that the proposals seek to integrate these features and that the expansion of these features is encouraged in terms of width and connectivity. Additional planting should be provided to reinforce existing trees and hedges to rejuvenate the features and introduce younger stock to ensure future succession and long-term retention of the features.

Therefore, subject to the submission of a detailed tree survey, tree protection and enhancement details at MSC stage the Natural Environment Policy team are content with the information submitted regarding the proposed development. Consequently the proposals would comply with both Policy 6 (Forestry, woodland and trees) of NPF4, Policy NE5 (Trees and Woodlands) of the ALDP 2023 and its associated Aberdeen Planning Guidance: Trees and Woodlands.

Transport and Accessibility

Policy T2 (Sustainable Transport) of the ALDP 2023 provides various guidance and seeks to minimise traffic generation, increase accessibility, encourage public transport and provide relevant infrastructure within the application site. It also advises that existing routes, such as core paths should be enhanced and retained during development. Policy T3 (Parking) discusses matters such as parking within development and electric vehicle infrastructure.

Policy 13 (Sustainable transport) of NPF4 provides similar guidance and advises that development will be supported where it has been designed in associated with sustainable travel, provides direct links to local facilities, be accessible by public transport, provide electric vehicle charge points, provide safe and convenient cycle parking and consider the needs of all users, as well as mitigate the impact of development on local transport routes. In addition, Policy 18 (Infrastructure first) seeks that proposals will mitigate the impacts of development and that proposals will only be supported where it has been demonstrates that provision is made to address the impacts on infrastructure.

The proposals have been subject to ongoing discussions with Roads Development Management (RDM), the Integrated Transport Systems team and the applicants regarding modelling and junction works with some future works/ analysis still required. It has been established that mitigatory measures are required to offset the impact of the traffic generated by the proposed development at certain junctions on the existing roads network. RDM are content that an engineering solution exists to mitigate the capacity issues, and the modelling/ quantification of these issues can be conditioned to be established at such a time as MSC applications are submitted, and mitigation measures

commensurate for that phase of development identified and agreed. The following junctions have been noted as requiring further modelling, some of which will require mitigation measures, which would be undertaken at appropriate stages of development, and would also be quantified and set out within the required legal agreement:

- Springhill Road/ Provost Fraser Drive – site access south;
- A92 North Anderson Drive/ Cairncry Roaf/ Foresterhill Road/ Provost Fraser Drive;
- A92 North Anderson Drive/ Haudagain Bypass/ Hilton Drive;
- A92 North Anderson Drive/ Land Stracht/ Westburn Road;
- A96 Great Northern Road/ Haudagain Bypass/ A96 Auchmill Road;
- Haudagain Bypass/ Manor Avenue;
- A96 Great Northern Road / A92 North Anderson Drive/ A92 Mugiemooss Road (Haudagain);
- A96 / Dyce Drive / Craibstone Drive;
- A944 Lang Stracht / Springhill Road;
- A944 Lang Stracht / Rousay Drive;
- A944 Lang Stracht / Stronsay Drive;
- A944 Lang Stracht / Summerhill Road / Mastrick Drive;
- A944 Lang Stracht / A9119 Skene Road.

In terms of public transportation routes, it is noted that there are bus stops in proximity to the site on both Provost Rust Drive and Howes Road, which have regular services which provide access to the wider city. It is also noted that the applicant has had discussions with the public transportation operators regarding the servicing of the site, and the applicants will be required to agree a public transportation strategy for the development. A condition is recommended to be added to any consent in this regard (see condition 4).

In terms of vehicular access, the proposed development will be served by a primary road which would loop through the development, extending from Provost Rust Drive (north) and Provost Fraser Drive (south). This arrangement is considered to be acceptable in principle, with finalised details of the road layouts to be controlled via an appropriately worded planning condition. It is anticipated that the road would be at least 6.5m wide and would be utilised as a bus route and would require swept path analysis and be constructed to an adoptable standard. Similarly the secondary roads would need to be designed to a similar width, with other road design details also to be provided at a later stage (see conditions 4, 5 and 6).

In addition, Howes Road is to be re-aligned to link with the easternmost secondary route within the development at a point immediately to the west of the existing bus turning circle. Further details on this will be required via an appropriately worded planning condition (see condition 6).

In terms of general parking arrangements, the applicant has noted the required maximum parking requirements for the development and that the exact number of parking spaces to be provided for each phase of development would be confirmed at the approval of matters specified in condition stage. The parking spaces would need to comply with relevant ACC standards in terms of dimensions and layouts and EV charging facilities would also be required in accordance with standards. In addition, the applicants have proposed car club spaces within the development; again the exact location of these spaces would be controlled via condition (see condition 4).

For developments of more than 100 units there is a requirement for more than two accesses and as three are proposed this is considered to be acceptable. The RDM Team have noted that all roads should be constructed to ACC standards and agreed with ACC in advance. They will also be subject to further control under the Roads Construction Consent process and elements of the proposal would also be subject to Traffic Regulation Orders. In conclusion, the new road designs and

locations are considered to be acceptable in principle, but would be subject to the submission of further information at approval of matters specified in condition stage (see condition 4).

In addition to the above, other further assessments which required will include the submission of residential travel plans, waste strategy plans and construction traffic management plans. Again, these matters would be controlled via the submission of appropriately worded planning conditions (see conditions 4, 17 and 21).

Comments have also been provided in regards to existing and proposed walking routes within the city. There are proposals to upgrade some of these on the perimeter of the site to allow access and the provision of such would be controlled via condition (see condition 4 in particular).

A proposed segregated cycleway is also proposed along the northern side of Provost Rust Drive, linking the proposed development with any existing networks along with other routes along with Provost Fraser Drive, and within the core paths within the development site. This is considered to be a significant benefit to the proposed development, with finalised details to be agreed at approval of matters specified in conditions stage (see condition 4).

In principle, the proposals are considered to be an acceptable form of development and the applicant has demonstrated that the proposals would comply with Policies 13 and 18 of NPF4 and with Policies T2 and T3 of the ALDP 2023.

Flooding, Drainage and Water Quality

Policy NE4 (Our Water Environment) of the ALDP 2023 advises that development will not be supported on sites where there would be an increased risk of flooding both within and outwith the site, adequate provision is not made for the maintenance of watercourses or it would require the construction of new or strengthened flood defences. In addition, there would be a requirement for a Flood Risk Assessment, foul drainage and water connection to the public sewerage system and that all new developments are required to incorporate Sustainable Urban Drainage Systems (SUDS) to manage surface water.

Similar guidance is provided within Policy 22 (Flood risk and water management) of NPF4, which advises that *“development proposals will: not increase the risk of surface water flooding to others, or itself be at risk, manage all rain and surface water through sustainable urban drainage systems (SUDS), presume no surface water connection to the combined sewer; seek to minimise the area of impermeable surface, provide a connection to the public sewers and create, expand or enhance opportunities for natural flood risk management, including blue and green infrastructure”*.

In relation to the above, a Flood Risk Assessment (FRA) and various documents in relation to site drainage have been submitted in support of the planning application. The FRA looked at all potential sources of flooding from the proposed development.

In compliance with ACC flood risk requirements, the development would be designed to ensure it is not at risk of flooding from a 1 in 200 plus 35% climate change event with all sources of flood risk (including rivers, surface water, sewers, ground water and artificial sources) having been assessed. The 1 in 200 year SEPA flood maps show that the site is not at risk of fluvial flooding.

The submitted documents note that the site could be at risk of rainfall flooding in the low, medium and high likelihood events as it is currently in an undeveloped state. The flooding areas shown on the SEPA flood maps correlate with the overall low points and existing areas of open ditch. Through the development of the site and upgrade of the local surface water drainage arrangements, any

existing local surface water flooding issues (which was a matter raised in representations) would be improved.

In accordance with both local and national guidance, the surface water generated from the areas of development within the site would be treated by a Sustainable Urban Drainage System (SUDS), which would be designed to the appropriate standards. Surface water from areas of new external hardstanding would also incorporate SuDS measures to treat and attenuate the surface water run-off to the agreed discharge limit with attenuation features tested for a 1 in 200 year rainfall event with additional uplift of 40% for climate change resilience.

Source control SuDS features are proposed to remove coarse solids and silts and treatment by a mix of features including a dry swale arrangement for main infrastructure roads and an end of line SuDS detention basin prior to discharge from site.

The Environmental Statement Report also noted that there are no groundwater dependant terrestrial ecosystems on the site and there are no known private water supplies within 1km of the application site boundary. Chapter 10 of the Report also provided details regarding drainage design and note that a number of existing surface water drainage features were identified, with drainage ditches generally located adjacent to the various access tracks at field boundaries and a partially culverted stream routing north through the site. These have been addressed as part of the blue-green network discussed above.

The submitted information has been addressed by both the Flooding team and externally by SEPA. The Flooding team noted that in principle they had no objection to the application, noting the content of the submitted documents but have requested the submission of further information in any future approval of matters specified in conditions applications. This includes the submission of a Flood Risk Assessment for each phase of development depending on the final layout and a Drainage Impact Assessment for each phase of development. They note the discharge rates for the 3 catchments and state that if these are subject to change then further information would be required.

The Flooding team are also aware of the existing flooding/ drainage issues at Howes Road either from run-off from the land to the north of Howes Road or from capacity issues of the culvert underneath one of the access roads to EnerMech (one of the issues raised in representation). Given the impact that this is having on existing properties, flooding and drainage issues will need to be addressed in greater detail within the finalised design, and mitigation measures would need to be included in relation to that phase of development.

Clarification was also submitted by the applicants in relation to existing field drains and watercourses which run through the site. The applicants confirmed that either through the next phase of site investigation or eventual construction activities, these will be fully investigated when encountered. As the proposed development includes a new urban drainage network, which in many cases will negate the requirement for the assumed existing field drainage network, it is likely that the drains themselves could be removed through the development of the site. Prior to removal of any field drainage, the individual runs will be fully investigated to establish the source and outfall locations, ensuring any adjustments to the pre-development scenario will not increase any flooding risk with the site or the surrounding area. The Flooding team noted these works, and requested that they be conditioned as part of any approval.

The proposal was also subject to consultation with SEPA, who have raised no objection to the application on flood risk grounds provided appropriate conditions are attached to the permission. This includes the submission of further information in relation to flood risk details for the entire site layout prior to the commencement of any development, including the watercourse running from south to north through the site and any development of land/ building on the northern section of the

site adjacent to the Bucks Burn to demonstrate that the proposals are not in an area of flood risk and would not increase overall flood risk at the site or elsewhere.

They have also suggested conditions to de-culvert lengths of the small watercourse running through the site to improve the water environment, such as establishing a natural route for the channel and allowing a riparian corridor and water course crossings that are designed to convey the 0.5% annual probability flood plus an appropriate allowance for climate change and separate allowance for freeboard.

To conclude, SEPA note that there were surface water issues within the site and the surrounding area, but that the matter would be considered under the remit of the flooding team.

Therefore, based on the above assessment, the applicants have submitted evidence that the site could be adequately serviced and drained and that there would be no significant impacts in terms of flood risk. The information has been reviewed by both the Flooding team and by SEPA who have raised no objection to the proposals subject to the insertion of appropriately worded planning conditions (see conditions 11 and 12 in particular). This would ensure compliance with Policy NE4 (Our Water Environment) of the ALDP 2023, its associated APG: Flooding, Drainage and Water Quality and with Policy 22 (Flood risk and water management) of NPF 4.

Waste Management

Policy 12 (Waste) of NPF4 advises that *“development proposals will seek to reduce, reuse, or recycle materials in line with the waste hierarchy.”* Policy R5 (Waste Management Requirements for New Developments) of the ALDP 2023 advises *“All new developments should have sufficient space for the storage of general waste, recyclable materials and compostable wastes where appropriate.”*

It is anticipated that waste requirement for all elements of the proposal would be controlled via condition, and Waste Management have provided the requirements that would require to be met to ensure that sufficient facilities could be provided for all properties. It is anticipated that this would be provided within the finalised design for each phase of development and would be controlled via conditions (see condition 4) attached to this permission to ensure compliance with Policy 12 (Waste) of NPF 4 and Policy R5 of the ALDP 2023.

Air Quality

Policy WB2 (Air Quality) of the ALDP 2023 advises that *“development proposals which may have a detrimental impact on air quality will not be permitted unless measures to mitigate the impact of air pollutants are proposed and agreed with the Planning Authority. Planning applications for such proposals should be accompanied by an assessment of the likely impact of development on air quality and any mitigation measures proposed”.*

In relation to air quality, the proposals have been subject to consultation with Environmental Health, who have reviewed the Environmental Statement and in particular the sections in relation to air quality.

Dispersion modelling was undertaken to predict the likelihood of exceedance of the national air quality standards for nitrogen dioxide (NO₂) and particulates (PM₁₀ and PM_{2.5}) at sensitive receptors due to emissions from road traffic. Modelling was also used to assess concentrations of nitrogen oxide at sensitive ecological receptor locations within the study area. The review has noted that no exceedances were predicted in terms of increased traffic levels at any of the receptors and the predicted changes would have a negligible impact on human receptors in the surrounding area.

Based on the proposed energy centre design and associated data, they have noted that there would be potential for exceedances of the above standards and have therefore requested the insertion of a planning condition requiring the submission of a further assessment of emissions where appropriate. This would be controlled via a further application for approval of matters specified in conditions (proposed condition 23).

In relation to dust control, Environmental Health are content with the proposed mitigation measures within the Environmental Statement, but recommend that a further condition in relation to site specific measures are undertaken to demonstrate how the controls will be applied in practice. This would be controlled via a further application for approval of matters specified on conditions (proposed condition 17).

Therefore, in relation to the development as proposed, sufficient information has been submitted, or would be controlled via planning condition, to ensure that there would be no adverse impacts from an air quality perspective. The proposal, in principle, would therefore be in compliance with Policy WB2 (Air Quality) of the ALDP 2023 and its associated APG: Air Quality.

Noise

Policy WB3 (Noise) of the ALDP 2023 advises *“in cases where significant exposure to noise is likely to arise from development, a Noise Impact Assessment (NIA) will be required as part of a planning application.”*

In relation to Noise, the proposals have been subject to consultation with Environmental Health, who have reviewed the Environmental Statement, in particular the sections in relation to noise and impact from vibration.

In terms of road traffic, they have noted that the maximum predicted increase in noise levels due to road traffic was 1.3dB at a location close to existing residential properties on Provost Rust Drive, which they did not consider to be significant.

In terms of external amenity, noise at the proposed residential properties to the south-east of the site was determined to be significant. Daytime noise monitoring indicated this area of the site was dominated by aircraft passing overhead and road traffic from Davidson Drive. Noise levels in external amenity areas at all other receptors were determined to be not significant. They noted that the development plans had not been finalised and therefore there was still an opportunity to limit the noise impact from the nearby industrial and commercial premises. They are of the view that appropriate mitigation could be achieved and therefore are not objecting to the proposals. They have requested the insertion of a condition in relation to the submission of a scheme of noise mitigation in relation to each phase of the residential elements of the development. In terms of noise level from road traffic, the predicted noise levels exceeded the target noise levels within habitable rooms at several receptors within the proposed development during the daytime and two receptors in the south-east during night time periods. This will be controlled via an appropriately worded planning condition.

In terms of the noise from the proposed commercial activities, which include the combined heat and power (biomass) plant and other commercial developments, no details are currently available on the source noise levels of these elements, which will be subject to a future approval of matters specified in conditions application and should be designed to meet the relevant criteria. This matter will be controlled via an appropriately worded planning condition.

They have also noted that the Aberdeen Airport noise contours for day and night were reviewed to determine the significance of aircraft noise. The whole site is exposed to a daytime noise level of

less than 57dB and in the evening of less than 50dB and the impact on this element was considered to be neutral.

Subject to the above, the proposals would not be in conflict with Policy WB3 (Noise) of the ALDP 2023 or with its associated Aberdeen Planning Guidance: Noise (see conditions 24 and 25).

Contaminated Land

Policy R2 (Degraded and Contaminated Land) of the ALDP 2023 will require that all land that is degraded or contaminated, including visually, is either restored, reclaimed or remediated to a level suitable for its proposed use.

The proposals have been reviewed by the Contaminated Land team, who consider the potential for significant contamination on site to be low. The submitted site investigation identified only limited made ground deposits, mainly associated with the former Bucksburn Farm and the soil samples that were obtained from across the site and tested *“do not appear to be indicative of contamination or suggest significant risks to be present”*.

The Preliminary Environmental Risk Assessment identifies *“undocumented infilled ground”* and *“unknown historical fuel spillage”* as *“key plausible potential on-site sources”* and *“recommend an intrusive geotechnical and geo-environmental site investigation is undertaken”*. It was therefore recommended that a quantitative risk assessment case carried out using the existing data in the first instance to inform the requirements for and scope of any future investigation. It was also suggested that further investigation in and around Bucksburn Farm would be sensible.

The Preliminary Environmental Risk assessment also noted that, in terms of radon, there was a small portion of land in the south-east corner of the site located in a maximum radon potential of 1-3%. Basic radon protection measures are required for development in this area, but otherwise no further assessment would be required. These further details could be controlled via planning condition.

The assessment also noted that, in terms of unexploded ordnance, the far east of the site lies within an area of moderate bombing density, with the far west lying within an area where two highly explosive bombs are known to have been dropped. A more detailed unexploded ordnance risk assessment was therefore recommended. It was confirmed that the submission of this additional information could be controlled via an appropriately worded planning condition and submitted via applications for approval of matters specified in condition (see conditions 13 and 14).

Based on the information submitted, and subject to appropriately worded planning conditions, the information submitted is considered to be acceptable from a land contamination perspective, subsequently the proposals would be in compliance with Policy R2 of the ALDP 2023.

Aberdeen Airport

Policy B3 (Aberdeen international Airport and Perwinnes Radar) of the ALDP 2023 advises that *“any development falling within safeguarded areas identified on the airport safeguarding map will be subject to consultation with Aberdeen International Airport.”*

The proposal has been subject to consultation with the airport, as the development lies on the flight path to the south. They have noted that the development has potential to conflict with the safeguarding criteria unless conditions are inserted requiring the submission of further details in relation to the location, eight, layout, form and materials of buildings within the development, further information in relation to landscaping within the development and the submission of a Bird Hazard

Management Plan. They have also suggested the insertion of an informative in relation to the use of cranes. The above matters are to be added as conditions to the consent, with further information required in future MSC applications. Subject to the insertion of these conditions (see conditions 8-10) there would be no conflict with Policy B3 of the ALDP 2023 and its associated Aberdeen Planning Guidance: Aberdeen Airport.

Renewable Energy

Policy R6 (Low and Zero Carbon Buildings, and Water Efficiency) of the ALDP 2023 advises: *“all new buildings will be required to demonstrate that a proportion 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 technology.”* This information would be clarified/ provided at the approval of matters specified in conditions stage. An appropriately worded planning condition is proposed to ensure compliance with Policy R6 of the ALDP 2023.

Policy R7 (Renewable and Low Carbon Energy Developments) of the ALDP 2023 advises: *“renewable and low carbon energy schemes will be encouraged and supported in principle, where the technology can operate efficiently, and the environmental and cumulative impacts can be satisfactorily addressed.”* Policy R8 (Heat Networks) of the ALDP 2023 advises, amongst other things that major developments and masterplanned sites will *“provide within the site an independent Heating/Cooling network and plant capable of connecting to the network at a future date”*. Similarly, Policy 19 (Heating and cooling) of NPF4 advises that a *“Heat and Power Plan should demonstrate how energy recovered from the development will be used to produce electricity and heat”*.

In relation to the various policies mentioned above, a renewable energy centre is proposed within the first phase of development, which would be utilised to provide heat and electricity to the development. The requirement for a heat and power plan would also be controlled via appropriately worded planning conditions and submitted for each phase of development (see condition 22 in particular). The provision of such facilities would ensure compliance with Policies R7 and R8 of the ALDP 2023 and with Policy 19 of NPF4.

Archaeology

Policy D6 (Historic Environment) of the ALDP 2023 advises that *“Proposals which have the potential to impact on historic environment, historic assets, and heritage assets, or a significant element thereof, will be required to ensure the effective recording, assessments, analysis, archiving and publication of any reports or records to an agreed timeframe. The physical in situ preservation of all scheduled monuments and archaeological sites is expected. Developments that would adversely impact upon archaeological remains, of either national or local importance, or on their setting will only be permitted in exceptional circumstances, where there is no practical alternative site and where there are imperative reasons of over-riding public need.”* Policy 7 (Historic assets and places) of NPF4 advises that *“where there is potential for non-designated buried archaeological remains to exist below a site, developers will provide an evaluation of the archaeological resource at an early stage so that planning authorities can assess impacts.”*

The submitted Environmental Statement noted that there were four known heritage assets within the development site; which includes the Upper Bucksburn farmstead. There are no listed buildings within the application site; although the ES notes that there is one scheduled monument, nine “B” listed buildings and seven “C” listed buildings within 1km of the application site; with none of these being adversely affected by the proposed development. It also noted that there was a low to moderate potential for further archaeological discoveries within the site.

The proposals have been assessed by the Archaeology Service, who are content with the findings of the report. They have requested the insertion of a condition in relation to a programme of archaeological works (see condition 28), which would consist of a 5% archaeological evaluation of the development site. Subject to the insertion of this condition the proposals would comply with Policy D6: Historic Environment of the ALDP 2023 and with Policy 7 (Historic assets and places) of NPF4.

Digital Infrastructure

Policy CI1 (Digital Infrastructure) of the ALDP 2023 advises that *“all new commercial development and residential development where five or more units are proposed will be expected to have access to high-speed communications infrastructure.”* Whereas Policy 24 (Digital Infrastructure) of NPF4 advises that: *“development proposals that incorporate appropriate, universal, and future-proofed digital infrastructure will be supported.”*

The site sits adjacent to the settlement boundary of Northfield, and a check of the OFCOM website confirms that the area has access to standard, superfast and ultrafast broadband. A condition (see condition 26) would also be added to the permission to ensure all properties are provided access to these facilities. Subject to the above the proposals would comply with Policy CI1 of the ALDP 2023 and Policy 24 of NPF4.

Matters Raised in Representations

1. Concerns regarding the potential loss of trees. *Response: matters in relation to the potential loss of trees have been discussed in the above evaluation, with replacement tree planting and tree protection measures required via planning condition.*
2. Concerns about parking and traffic on the surrounding road network. *Response: Roads Development Management have reviewed the proposal, including an analysis of the surrounding roads network, and have accepted that the development as proposed would have no adverse impact, subject to appropriate mitigation measures., which have been discussed elsewhere within this report.*
3. Concerns about the impact of the development on wildlife, in particular roe deer and pheasants. *Response: the Natural Environment Policy team have reviewed the proposals, and the potential impact on protected species. This matter has been discussed elsewhere in this report and it is noted that there would be no adverse impacts in principle, but that further survey information would be required for each approval of matters specified in condition application.*
4. Concerns in regard to surface water flooding and the impact that the development would have on the property at Howes Cottage. Various photographs and videos were sent in to demonstrate the impact of water run off onto Howes Road. *Response: this matter has been discussed in the above evaluation. It is anticipated that the proposed drainage infrastructure would improve the situation in the surrounding area once installed.*
5. Concerns in relation to the Flood Risk Assessment whether this has fully assessed the impact on the surrounding area. *Response: the Flood Risk Assessment has been reviewed by the Flooding team and by SEPA and its findings are considered to be acceptable.*
6. Concerns that a new access road would impact on the water supply of neighbouring properties. *Response: further information would be required with any future approval of matters specified in condition application with regard to road construction to ensure that it*

was designed to an acceptable standard and would have no adverse impact on matters such as water supply.

7. Concerns about accessing properties during the construction period. *Response: access to neighbouring properties would need to be maintained. This would be a civil matter between the applicants and the neighbouring properties and not a material planning consideration.*

Time Limit Direction

Given the scale of development proposed, the standard three-year length of permission for planning permission in principle is not considered to be appropriate. The Planning Service therefore consider a twelve-year permission to be more appropriate, in part due to the restriction in latter phases of the development not being progressed until post 2032. This is reflected in condition 1 of this Planning Permission in Principle.

Scottish Ministers Notification

Under the terms of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 applications where the Planning Authority have an interest in the land and where the proposed development would be significantly contrary to the development plan require notification to Scottish Ministers where the Planning Authority are minded to approve planning permission, the reasoning for which has been detailed in the above evaluation.

Legal Agreement

As noted in the above evaluation, the proposals will be subject to a suitable legal agreement. The agreement will cover various aspects including securing affordable housing, the required developer obligations and transport infrastructure improvement works.

RECOMMENDATION

Approve Conditionally, Subject to Legal Agreement & Subject to Notification to Scottish Ministers

REASON FOR RECOMMENDATION

It is noted that the proposals are significantly contrary to Policy LR1 (Land Release) of the Aberdeen Development Plan 2023 in that the provision of 400 additional homes are safeguarded for development following the next Local Development Plan review in 2032. In this case, it is considered that an appropriately worded planning condition would ensure that development within this area of the site would not be brought forward until post 2032. This would allow the applicant a degree of certainty and for provision of the full allocation for the proposed development. A departure from the Aberdeen Local Development Plan 2023 is therefore accepted in this instance, principally due to the benefits of a holistic approach to the masterplanning of both Opportunity Site 28 and Opportunity Site 33 allocations as currently set out.

The principle of development is long-established on site via the allocation of Opportunity Site 28 and Opportunity Site 33 (Greenferns) and the level of development proposed largely accords with the numbers set out within the Aberdeen Local Development Plan, with the applicants having demonstrated that an additional 7% level of development could adequately be accommodated on the development site to allow for the provision of a total of 1,575 units. The Planning Permission in Principle nature of the current application allows appropriate details to be considered and controlled at the Approval of Matters Specified in Conditions application stage in line with the proposed

conditions. The mixed-use elements proposed are also in line with the details contained within the Opportunity Site designations.

The submitted Masterplan, Development Framework, Environmental Statement and other associated documents also indicate that an appropriate level of development could be provided which has been designed with due consideration for its context and would have no adverse impact on the character and appearance of the surrounding area. This would ensure compliance with Policies 14 (Design, Quality and Place), 15 (Local Living and 20-minute Neighbourhoods), 16 (Quality Homes), 18 (Infrastructure First), 23 (Health and Safety), 26 (Business and Industry) and 27 (City, Town, Local and Commercial Centres) of National Planning Framework 4 and with Policies LR2: Delivery of Mixed-Use Communities, WB1 (Healthy Developments), H1: Residential Areas, H2: Mixed Use Areas, H3: Density, H4: Housing Mix, D1: Quality Placemaking, D2: Amenity and VC12: Retail Development Serving New Development Areas of the Aberdeen Local Development Plan 2023.

The required works within the green belt setting, which relate to the upgrading of existing paths to improve access to recreational facilities both within and out with the development site, would be in compliance with Policy NE1 (Green Belt) of the ALDP 2023 and with Policy 8 (Green Belts) of National Planning Framework 4.

In addition, the submitted document also demonstrates that the proposal would have an acceptable impact on the surrounding environment, protected species and tree stock, with further biodiversity enhancements proposed. The provision of such information would be controlled via the submission of future approval in matters specified in conditions applications and would ensure compliance with Policies 1 (Tackling the Climate and Nature Crises), 2 (Climate Mitigation and Adaptation), 3 (Biodiversity), 4 (Natural Places), 5 (Soils), 6 (Forestry, Woodland and Trees) and 20 (Green and Blue Infrastructure), 21 (Play, Recreation and Infrastructure) of National Planning Framework 4 and with Policies NE2: Green and Blue Infrastructure, NE3: Our Natural Heritage, NE5: Trees and Woodland, D4: Landscape and D5: Landscape Design of the Aberdeen Local Development Plan 2023.

The proposal is also considered to be acceptable from a transportation perspective, with information submitted to demonstrate that the proposal would not have an unacceptable impact on the surrounding road network, with some further assessments required and controlled via planning condition and referenced in the legal agreement and other matters such as road junction designs, parking layouts and electric vehicle parking provisions to be controlled via future applications for approval of matters specified in conditions. Appropriate information in relation to waste facilities has also been provided at this stage. This would therefore ensure compliance with Policies 12 (Zero Waste) and 13 (Sustainable Transport) of National Planning Framework 4 and with Policies R5: Waste Management Requirements for New Development, T2: Sustainable Transport and T3: Parking of the Aberdeen Local Development Plan 2023.

Developer obligations have also been agreed and would be controlled via a legal agreement to provide appropriate levels of affordable housing and other associated contributions, therefore ensuring compliance with Policies H5 (Affordable Housing) and I1 (Infrastructure Delivery and Planning Obligations) of the Aberdeen Local Development Plan 2023.

Appropriate information in relation to drainage and flooding, including assessments, has also been submitted to the satisfaction of consultees and would be subject to further detailed information at each stage of development, therefore ensuring compliance with Policy 22 (Flood Risk and Water Management) of National Planning Framework 4 and with Policy NE4 (Our Water Environment) of the Aberdeen Local Development Plan 2023.

Appropriate noise and air quality information has been submitted ensuring compliance with Policies WB2 (Air Quality) and WB3 (Noise) of the Aberdeen Local Development Plan 2023, appropriate safeguarding information has been submitted to ensure compliance with Policy B3 (Aberdeen Airport and Perwinnes Radar) of the Aberdeen Local Development Plan 2023 and appropriate information has been submitted in relation to land contamination to ensure compliance with Policy R2 (Degraded and Contaminated Land) of the Aberdeen Local Development Plan 2023. The proposals also include the provision of an energy facility, which is indicated as being provided within the first phase of development, with provision of such ensuring compliance with Policy 19 (Heating and Cooling) of National Planning Framework 4 and Policy R8 (Heat Networks and Need) of the Aberdeen Local Development Plan 2023. Satisfactory information has also been submitted in relation to historic assets and archaeology to ensure compliance with Policy 7 (Historic Assets and Places) of National Planning Framework 4 and with Policy D4 (Historic Environment) of the Aberdeen Local Development Plan 2023.

Subject to appropriately worded conditions the proposal would also be comply with Policy 24 (Digital Infrastructure) of National Planning Framework 4 and with Policies R6 (Renewable and Low Carbon Energy Developments) and CI1 (Digital Infrastructure) of the Aberdeen Local Development Plan 2023.

CONDITIONS

(01) LENGTH OF PERMISSION – PPIP

Applications for the approval of all matters specified in conditions of the Planning Permission in Principle hereby granted must be made before whichever is the latest of the following dates:

- (a) The expiration of twelve years beginning with the date of the planning permission in principle;
or,
- (b) The expiration of six months from the date on which an earlier application (Matters Specified in Condition) for the requisite approval was refused or dismissed following an appeal or review.

In relation to any matter under part (b) above, only one application for approval of matters specified in conditions may be made after the expiration of the planning permission in principle.

The development of a subsequent phase hereby granted shall be begun before the expiration of two years from the final approval of the matters specified in conditions or, in the case of approval on different dates, the final approval of the last such matters to be approved.

Reason: to ensure compliance with section 59 (planning permission in principle) of the Town and Country Planning (Scotland) Act 1997 (as amended).

(02) PHASING PLAN

That prior to the commencement of development, an application for the approval of matters specified in conditions comprising a detailed phasing plan, setting out the details of the phasing of the development, shall be submitted to, and approved in writing by the Planning Authority. Thereafter the development shall be carried out in complete accordance with the approved Phasing Plan, unless otherwise agreed through the submission of a further matters specified in conditions application for an alternative phasing programme.

Reason: To ensure that build-out of the development is phased to avoid adverse impact on local services and infrastructure and in the interests of the visual amenity of the area.

(03) POST 2032 HOUSING

That notwithstanding the description provision of "1,575 homes" of the Planning Permission in Principle hereby approved, no more than 1,175 residential units shall be built on the development site prior to 2033.

Reason: A departure from Policy LR1 (Land Release Policy) of the Aberdeen Local Development Plan 2023, is only accepted on the basis that the housing allocation for the period marked 2033-2040 is not progressed until post 2032.

(04) MATTERS REQUIRING FURTHER APPROVAL CONDITION FOR PLANNING PERMISSION IN PRINCIPLE

That application(s) for approval of matters specified in condition containing details of the specified matters listed below shall be submitted for consideration by the planning authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

No development within or out with any particular phase shall take place unless a matters specified in conditions application comprising the detailed layout and design of roads, buildings and other structures for that particular phase has been submitted to and approved in writing by the Planning Authority. The application(s) shall comprise:

- a) a detailed levels survey of the site and cross sections showing proposed finished ground and floor levels relative to existing ground levels and a fixed datum point within the relevant block/phase of development;
- b) full details of the connection to the existing Scottish Water foul water drainage network for the relevant block of development;
- c) details of all cut and fill operations in the relevant phase of the development;
- d) the details of the layout and finish of roads, visibility splays, footpaths, pedestrian connections and cycle routes including the identification of safe routes to school from the development.
- e) the details of all vehicular and motorcycle parking, short and long term secure cycle parking, electrical vehicle charging space and facilities, storage and collection for waste and recyclables
- f) details of any boundary enclosures to be provided within the relevant phase of the development;
- g) details of any play zones and play equipment to be provided within the relevant phase of development;
- h) full details of the layout, siting, design and finish of all residential properties, throughout the relevant phase of development;
- i) details of public open space and core path improvement works; and
- j) full details of the layout, siting, design and finish of all non-residential properties throughout the phase where relevant. This shall include but is not limited to; community facilities, health centre, schools, commercial premises, energy centre, pumping station, and associated infrastructure.

Reason: Permission for the development has been granted in principle only and subsequent approval is required for these matters in accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

(05) FUTURE DETAILS – JUNCTION IMPROVEMENT WORKS

No development shall commence on any particular phase, of the development hereby approved until (i) detailed road junction analysis of the impact of the traffic generated by that phase and a scheme for any related mitigation which may be required as a result of the development, on the following road junctions:

- a. Springhill Road/ Provost Fraser Drive – site access south;
- b. A92 North Anderson Drive/ Cairncry Road/ Foresterhill Road/ Provost Fraser Drive;
- c. A92 North Anderson Drive/ Haudagain Bypass/ Hilton Drive;
- d. A92 North Anderson Drive/ Lang Stracht/ Westburn Road;
- e. A96 Great Northern Road/ Haudagain Bypass/ A96 Auchmill Road;
- f. Haudagain Bypass/ Manor Avenue;
- g. A96 Great Northern Road / A92 North Anderson Drive/ A92 Mugiemooss Road (Haudagain);
- h. A96 / Dyce Drive / Craibstone Drive.
- i. A944 Lang Stracht / Springhill Road.
- j. A944 Lang Stracht / Rousay Drive.
- k. A944 Lang Stracht / Stronsay Drive.

has been submitted to, and agreed in writing by way of a Matters Specified in Conditions application by, the planning authority and (ii) the provision of such mitigation works has been secured and agreed in writing by the planning authority. Once agreed, any necessary mitigation works shall be undertaken in complete accordance with the scheme as so agreed, prior to the occupation of any part of that particular development phase.

Reason - in order to ensure there is no net detriment to the surrounding local roads network, and to assist the free flow of traffic.

(06) ACCESS TO DEVELOPMENT SITE

No development shall take place within each phase of development unless a matters specified in conditions application comprising a detailed scheme showing the precise location, layout, design and construction method of the proposed access junctions to the development site including layouts, capacity, distribution, operational flow and detailed cross-sections has been submitted to and approved in writing by the Planning Authority; no individual residential property or commercial unit shall be occupied or brought into use unless the relevant scheme is fully implemented in accordance with the approved plans, unless the Planning Authority has given written approval for a variation.

Reason: in the interests of road safety.

(07) LANDSCAPING SCHEME

No development within any particular phase, as agreed by the Phasing Plan approved as condition 2 of this Planning Permission in Principle shall take place unless a matters specified in conditions application comprising a scheme of hard and soft landscaping works for that particular phase, has been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be undertaken in accordance with the approved detail.

Details of the scheme shall include:

- (i) Existing landscape features and vegetation to be retained.
- (ii) The location of new (trees, shrubs, hedges, grassed areas and water features)

- (iii) A schedule of planting to comprise species, plant sizes and proposed numbers and density.
- (iv) The location, design and materials of all hard-landscaping works including (walls, fences, gates, street furniture and play equipment)
- (v) An indication of existing trees, shrubs, and hedges to be removed.
- (vi) A programme for the completion and subsequent maintenance of the proposed landscaping.

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of the development or such other date as may be agreed in writing with the Planning Authority. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

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

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

(08) LANDSCAPING (ABERDEEN INTERNATIONAL AIRPORT)

That no development shall commence on any phase, of the development as agreed within the approved phasing plan until full details of soft and water landscaping works have been submitted to and approved in writing by the Planning Authority by way of matters specified in condition application in consultation with Aberdeen Airport. Details must comply with Advice Note 3 'Potential Bird Hazards from Amenity Landscaping & Building Design' (available at www.aoa.org.uk/publications/safeguarding.asp). These details shall include:

- Any earthworks
- Grassed areas
- Details of any water features
- The species, number and spacing of trees and shrubs
- Drainage details including SUDS – Such schemes must comply with Advice Note 6 'Potential Bird Hazards from Sustainable urban Drainage Schemes (SUDS)' (available at www.aoa.org.uk/publications/safeguarding.asp).

No subsequent alterations to the approved landscaping scheme are to take place unless submitted to and approved in writing by the Planning Authority in consultation with Aberdeen Airport. The scheme shall be implemented as approved.

Reason: To avoid endangering the safe movement of aircraft and the operation of Aberdeen Airport through the attraction of birds and an increase in the bird hazard risk of the application site.

(09) HEIGHT, LAYOUT AND FORM OF MATERIALS (ABERDEEN INTERNATIONAL AIRPORT)

No development within any particular phase, shall take place unless a matters specified in conditions application for that phase, comprising details, location, height, layout, form and materials of buildings and structures within the proposed development have been submitted to and approved in writing by the planning authority in consultation with Aberdeen International Airport. Thereafter the development shall be undertaken in accordance with the approved details.

Reason: Buildings/structures in the proposed development may penetrate the obstacle Limitation Surface (OLS) and/or Instrument Flight Procedure (IFP) surfaces surrounding Aberdeen Airport and could endanger aircraft movements and the safe operation of the aerodrome;

and:

Buildings/structures in the proposed development may interfere with communication, navigation aids and surveillance equipment and could endanger aircraft movements and the safe operation of the aerodrome.

(10) BIRD HAZARD MANAGEMENT PLAN

No development within any particular phase, shall take place unless a matters specified in conditions application comprising a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority in consultation with Aberdeen Airport. The submitted plan shall include details of:

- Monitoring of any standing water within the site temporary or permanent;
- Any earthworks;
- Management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and “loafing” birds. The management plan shall comply with Advice Note 8 ‘Potential Bird Hazards from Building Design’ ;
- Maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow

The Bird Hazard Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the life of the development. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority in consultation with Aberdeen Airport.

Reason: It is necessary to manage the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Aberdeen Airport.

(11) SURFACE AND PUBLIC WATER DRAINAGE

No development within any particular phase shall take place unless a matters specified in conditions application comprising a detailed scheme for surface water drainage and foul water drainage for that particular phase has been submitted to any approved in writing with the Planning Authority. The scheme shall:

- a) detail two levels of sustainable drainage (SUDS) treatment (or three levels for industrial hard standing areas) for all areas of roads/ hardstanding/ car parking and one level of SUDS treatment for roof run-off include source control;
- b) provide further details in relation to the proposed urban drainage network, which would negate the requirements for the existing field drainage within the site, and confirmation of where the latter would be retained or removed. This shall include a full assessment of the

individual runs to establish the source and outfall locations, ensuring any adjustments to pre-development scenario would not increase flood risk to the surrounding area; and

- c) shall be development in accordance with the technical guidance contained in the SUDS manual.
- d) A detailed drainage plan for the relevant phase of development, including full details of the proposed means of disposal of surface water from the relevant phase of development, including how surface water run off shall be addressed during construction, as well as incorporating the principles of pollution prevention and mitigation measures.
- e) a scheme for the connection of buildings to the public waste water system for that particular phase has been submitted to any approved in writing by the Planning Authority. The scheme shall include confirmation from Scottish Water that connections can be made and any necessary upgrades to the public wastewater system are in place.

Thereafter development shall be implemented in accordance with the agreed scheme and no building shall be occupied unless connection has been made to the public wastewater network in accordance with the approved details.

Reason – in order to ensure adequate protection of the water environment from surface water run-off.

(12) FLOOD RISK ASSESSMENT/ FURTHER DETAILS

No development within any particular phase shall take place unless a matters specified in conditions application comprising a phase specific Flood Risk Assessment has been submitted to and approved in writing by the Planning Authority in consultation with SEPA. Thereafter, the development shall be carried out in full accordance with the details and recommendations of the assessment.

This shall include:

- a) an assessment of the small watercourse running through the site from south to north (before discharging into the Bucks Burn) to demonstrate that the detailed proposals do not result in a risk to flooding to the proposed properties;
- b) further information in relation to the redevelopment/ new development on land and buildings in the northern part of the site adjacent to the Bucks Burn (in the area of Bucksburn House and to the west) to demonstrate that the proposals are not in an area of flood risk and will not increase overall flood risk at the site or elsewhere.
- c) Proposals to de-culvert lengths of the small watercourse running through the site from south to north and additional measures to improve the water environment, such as establishing a natural route for the channel and allowing a riparian corridor;
- d) Watercourse crossings should be designed to convey the 0.5% annual probability flood plus appropriate allowance for climate change and separate allowance for freeboard.
- e) Full details of field drains and watercourses within that phase of development, and how these are to be altered and impacted by that particular phase of development.

Reason – to ensure that each phase of development would not increase floor risk within the site or in the surrounding area.

(13) RADON ASSESSMENT

No development within the south-eastern section of the application site boundary (as identified on the UK Radon interactive viewer as having a maximum radon potential of 1%-3%) unless a matters specified in conditions application comprising a Radon Assessment has been submitted to and

approved in writing by the Planning Authority for that specific area of the development. Thereafter, the development shall be carried out in full accordance with the details and recommendations of the assessment.

Reason – the submitted documents have indicated a small section of land within this area is in a maximum radon potential of 1-3% and basic radon protection measures are required to be submitted.

(14) UNEXPLODED ORDNANCE ASSESSMENT

No development within any particular phase shall take place unless a matters specified in conditions application comprising a phase specific Unexploded Ordnance Assessment, or confirmation that this is not required, has been submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in full accordance with the details and recommendations of the assessment.

Reason – to ensure that the site is fit for human occupation.

(15) TREE SURVEY AND PROTECTION PLAN

No development within any relevant phase shall take place unless a matters specified in conditions application comprising a tree survey including tree protection plan has been submitted to and approved in writing by the Planning Authority. Tree protection measures shall be shown on a layout plan accompanied by descriptive text and shall include:

- a) The location of the trees to be retained and their root protection areas and canopy spreads (as defined in BS 5837: 2012 Trees in relation to design, demolition and construction);
- b) The position and construction of protective fencing around the retained trees (to be in accordance with BS 5837: 2012 Trees in relation to design, demolition and construction).
- c) The extent and type of ground protection, and any additional measures required to safeguard vulnerable trees and their root protection areas.
- d) An arboricultural impact assessment which evaluates the direct and indirect impacts of the proposed development on the trees to be retained and proposed mitigation.
- e) An arboricultural method statement to demonstrate that operations can be carried out with minimal risk of adverse impact on trees to be retained.
- f) A method statement for any works proposed within the root protection areas of the trees shown to be retained.

No works in connection with the development hereby approved shall commence unless the tree protection measures have been implemented in full in accordance with the approved tree protection plan. No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities shall be permitted within the protected areas without the written consent of the planning authority and no fire shall be lit in the position where the flames could extend to within 5 metres of foliage, branches or trunks. The approved tree protection measures shall be retained in situ until the development has been completed.

Reason: In order to ensure adequate protection for the trees and hedges on the site during the construction of development, and in the interests of the visual amenity of the area.

(16) ADDITIONAL TREE PLANTING

No development within any particular phase shall take place unless a matters specified in conditions application for that phase comprising a scheme of additional tree planting has been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include:

- a) The location of the additional tree planting.
- b) A schedule of planting to comprise species, plant sizes and proposed numbers and density.
- c) A programme for the implementation, completion and subsequent management of the proposed compensatory tree planting.

The additional tree planting shall be carried out in complete accordance with the approved scheme and any planting which, within a period of 5 years from the completion of the additional tree planting, 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 provide additional woodland cover in accordance with the aims of local and national planning policies.

(17) CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

No development (including site stripping, service provision or establishment of site compounds) within any particular phase (as agreed within the Phasing Plan submitted and agreed by condition 2 of this Planning Permission in Principle) shall take place unless a matters specified in conditions application comprising a site specific construction environmental management plan (CEMP) for that particular phase has been submitted to and approved in writing by the planning authority in consultation with SEPA. The CEMP must address:

- i. surface water management;
- ii. site waste management;
- iii. watercourse engineering;
- iv. pollution prevention including dust management plan;
- v. management of wetland environment to increase its biodiversity value; and
- vi. the protection of the wetland should any major oil spills occur in the area feeding it.

Thereafter development shall be undertaken in accordance with the approved Construction Environment Management Plan.

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

(18) BIODIVERSITY NET GAIN

No development within any particular phase shall take place unless a matters specified in conditions application comprising a statement in relation to Biodiversity Net Gain, with associated measures has been submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in full accordance with the details and recommendations of the assessment.

Reason – to ensure that the development proposals will contribute to the enhancement of biodiversity.

(19) BADGER SURVEY

No development within any particular phase shall take place unless a matters specified in conditions application for that phase comprising a badger survey and badger protection plan for that area has been submitted to and approved in writing by the Planning Authority. The protection plan must include:

- i. the measures required to protect badgers during development and any licensable activities required to allow the development to proceed
- ii. appropriate buffer zones to be established around any known active setts in order to avoid disturbance; and
- iii. details of how badger habitat (including foraging areas and connectivity between identified setts) shall be retained and/ or created as part of the development. Any required mitigation measures to minimise disturbance to badgers must be identified and be in accordance with NatureScot best practice guidance.

Reason – in order to mitigate any potential impact on protected species.

(20) BIRD, BAT SURVEY, OTTER SURVEY AND SITE-SPECIFIC HABITAT AND SPECIES PROTECTION PLAN

No development within any particular phase shall take place unless a matters specified in conditions application comprising a phase specific:

- a) Bird Survey
- b) Bat Survey
- c) Otter Survey and
- d) Site Specific Habitat and Species Protection Plan

has been submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in full accordance with the details and recommendations of the assessment.

Reason – in order to mitigate any potential impact on protected species.

(21) RESIDENTIAL TRAVEL PACK / GREEN TRAVEL PLAN

No development within any particular phase shall take place unless a matters specified in conditions application comprising either a residential travel pack (in the case of residential development) or a green travel plan (in the case of commercial development) or both for that particular phase or block has been submitted to and approved in writing by the planning authority. Each residential travel pack shall identify details of different travel options available in the area in order to discourage the use of the private car. The approved travel pack shall be supplied to the first occupants of every residential unit within that block or phase on occupation. Each Travel Plan shall identify measures to be implemented in order to discourage the use of the private car as well as the duration of the plan, system of management, monitoring, review and reporting and thereafter shall be implemented as approved.

Reason – in order to reduce dependency on the private car for travel.

(22) HEAT AND POWER PLAN

No development within any particular phase shall be occupied unless the following works have been provided:

- (a) Evidence of connection to an existing heat network has been provided where available; or
- (b) Provision has been provided within the site of an independent heating/ cooling network and plant capable of connecting to the network at a later date; or
- (c) where it can be proven that connection to an existing network and the provision of an independent heat network are financially unviable, a network of soft routes will be provided through the development for the future provision of a heat network. In such cases an agreed network design will be required.

Reason: to ensure that the development is properly and efficiently heated and ensure compliance with Policy 19 (Heating and Cooling) of National Planning Framework 4.

(23) ENERGY CENTRE – AIR QUALITY

No development in relation to the proposed energy centre shall take place unless a matters specified in conditions application for that proposal comprising the submission of an Air Quality Impact Assessment has been submitted to and approved in writing by the planning authority. Thereafter the development shall be undertaken in accordance with the approved details.

For avoidance of doubt, the facility shall be designed such that there is no likelihood of exceedance of the national annual mean or short-term air quality standards for nitrogen dioxide (NO₂) and particulate matter (PM₁₀ and PM_{2.5}).

Reason: to ensure that the proposed development would have no adverse impacts from an air quality perspective.

(24) NOISE IMPACT ASSESSMENT (HEAT AND POWER (BIOMASS) FACILITY/ COMMERCIAL DEVELOPMENTS)

No development in relation to the proposed heat and power (biomass) facility or any commercial elements of the development shall take place unless a matters specified in conditions application for that proposal comprising the submission of a Noise Impact Assessment has been submitted to and approved in writing by the planning authority. Thereafter the development shall be undertaken in accordance with the approved details.

For avoidance of doubt, the Noise Impact Assessment requires to follow the methodology within BS4142 (Noise Assessment) or any future British Standard which supersedes this guidance. Confirmation of the findings of the assessment shall be submitted to, and agreed in writing by, the Local Planning Authority.

Reason – to ensure that the proposed development would have no adverse impact on surrounding amenity.

(25) NOISE IMPACT ASSESSMENT (RESIDENTIAL DEVELOPMENT)

That prior to the occupancy of any development located adjacent to the existing commercial and industrial premises, a further noise impact assessment shall be undertaken and a scheme of noise mitigation shall be submitted to any approved in writing by the Planning Authority, in consultation with Environmental Health. The scheme shall demonstrate adequate protection from noise generated from the adjacent commercial and industrial premises. The assessment shall have been made in accordance with the current version of BS4142 and confirmation of the findings of the assessment shall be submitted to, and agreed in writing by, the Local Planning Authority.”

Reason: in order to protect the amenity of residents of the proposed development and to ensure the development is fit for human occupation.

(26) FULL FIBRE BROADBAND

No development within any particular phase shall be occupied unless a matters specified in conditions application comprising a scheme for the provision of a full fibre broadband connection to each flat or dwellinghouse for that particular phase has been submitted to and approved in writing by the planning authority. Thereafter the scheme shall be implemented as approved and all properties provided with a full fibre broadband connection.

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

(27) LOW AND ZERO CARBON BUILDINGS

No development within any particular phase shall take place unless a matters specified in conditions application comprising an Energy Statement applicable to each building within that phase has been submitted to and approved in writing by the planning authority. The Energy Statement shall include the following items:

- a) Full details of the proposed energy efficiency measures and/or renewable technologies be incorporated into the development;
- b) Calculations using the SAP or SBEM methods which demonstrate that the reduction in carbon dioxide emissions rates for the development, arising from the measures proposed, will enable the development to comply with Policy R7 of the Aberdeen Local Development Plan 2023 or such other prevailing policy and related guidance that is in place at the time of submission of the MSC.

No building within the development shall be occupied unless it has been constructed in full accordance with the approved details in the Energy Statement. The carbon reduction measures shall be retained in place and fully operational thereafter.

Reason: to ensure this development complies with the on-site carbon reductions required in prevailing Planning Policy.

(28) PROGRAMME OF ARCHAEOLOGICAL WORKS

No development within any particular phase shall take place unless a matters specified in conditions application comprising an archaeological written scheme of investigation (WSI) has been submitted to and approved in writing by the planning authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be occupied unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the planning authority. The PERD shall be carried out in complete accordance with the approved details.

Reason: To safeguard and record the archaeological potential of the area.

ADVISORY NOTES FOR APPLICANT

BIRD HAZARD MANAGEMENT PLAN

The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected. The owner/occupier must remove any nests or eggs found on the roof.

The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from NatureScot before the removal of nests and eggs.

USE OF CRANES

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policy-safeguarding.htm>)

DESIGNING OUT CRIME

It is recommended that the design team consult with Police Scotland Architectural Liaison Officers at the pre design stage, given the future potential for increased Police activity in and around the area. The developer should also liaise with the Police Scotland Architectural Liaison Officer service at each stage of the development, for the purposes of designing out crime using the principles of Crime Prevention through Environmental Design (CEPTED). Finally, Police Scotland would encourage the applicant to attain the 'Secured By Design' award and recommend that the development achieves the Police SBD accreditation as part of the planning conditions.

EVIDENCE OF CONCLUSION OF LEGAL AGREEMENT FOR EACH PHASE OF DEVELOPMENT

Prior to the issue of any approval matters specified in conditions permission for any particular phase of development (in line with the Phasing Plan associated with Condition 2 of this Planning Permission in Principle and the terms of the legal agreement), evidence will be required to be submitted to the Planning Authority that the developer obligations, including affordable housing contributions have been agreed, secured and concluded in relation to that particular phase of development and in accordance with the package of developer obligations set out within the draft Section 75 agreement appended to this permission.