



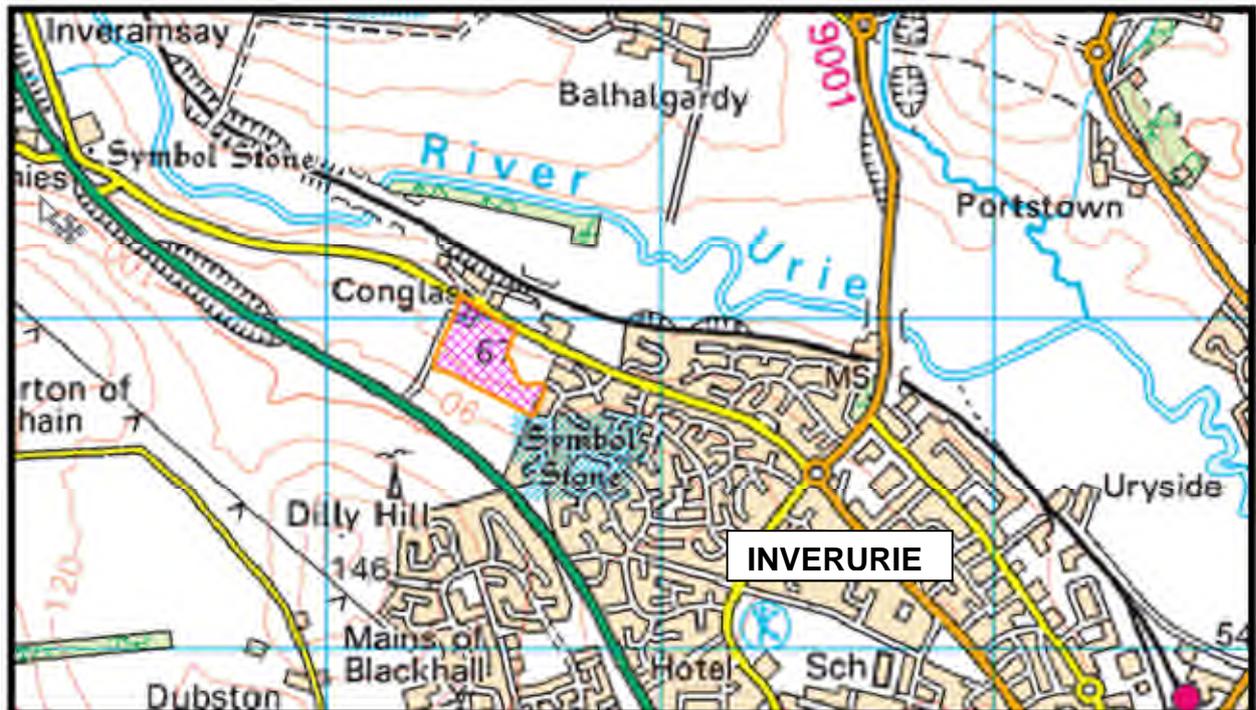
Garioch Area Committee Report – 19 June 2018

Reference No: APP/2017/3188

Description: Full Planning Permission for Residential Development and Associated Infrastructure at Site at Conglass, Crawford Road, Inverurie

Applicant: CALA Management Ltd
Agent: CALA Homes (North) Ltd

Grid Ref:	E:375441 N:822939
Ward No. and Name:	W11 – Inverurie and District
Application Type:	Full Planning Permission
Representations:	0
Consultations:	16
Relevant Proposals Map	Partial – Inverurie Settlement, Allocated site OP1
Designations:	Partial – Countryside (AHMA)
Complies with Development Plans:	No
Main Recommendation:	Refer to ISC



NOT TO SCALE

1. Reason for Report

- 1.1 The Committee is able to consider this item in terms of Section B.9.1 of Part 2A List of Committee Powers and Section C.2.1c of Part 2C Planning Delegations of the Scheme of Governance as the application is for major development which in the professional opinion of the Head of Planning and Building Standards is a departure from the Development Plan and which therefore will be determined by Infrastructure Services Committee following consultation with the relevant Area Committee. If Committee determines to refuse this application, then the matter goes no further. If Committee determine to support this application, then it will be referred to Infrastructure Services Committee for final determination.
- 1.2 This report provides an update to the application that was considered at the meeting of the Garioch Area Committee on 29 May 2018. At that meeting the Committee agreed to defer consideration of the application in order to seek a masterplan that includes at least the allocated OP1 site.
- 1.3 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report, this resulted in minor changes to the report.

2. Background and Proposal

- 2.1 Full planning permission is sought for the erection of 57 residential dwellings and associated infrastructure at Conglass, Inverurie. The application represents a departure to the development plan due to the amount of development proposed outside the settlement boundary.
- 2.2 Full details of the proposal and the key planning issues are given in the original report (please refer to Appendix 1).

3. Representations

- 3.1 No valid letters of representation have been received.

4. Consultations

- 4.1 A wide range of consultations took place and are detailed in Section 4 of the original report. The proposal is unchanged apart from the indicative layout plan that is being considered separately on the same committee agenda and therefore there is no requirement to undertake additional consultation.

5. Relevant Planning Policies

5.1 Scottish Planning Policy

The aim of the Scottish Planning Policies is to ensure that development and changes in land use occur in suitable locations and are sustainable. The planning system must also provide protection from inappropriate development. Its primary objectives are:

- to set the land use framework for promoting sustainable economic development;

- to encourage and support regeneration; and
- to maintain and enhance the quality of the natural heritage and built environment.

Development and conservation are not mutually exclusive objectives; the aim is to resolve conflicts between the objectives set out above and to manage change. Planning policies and decisions should not prevent or inhibit development unless there are sound reasons for doing so. The planning system guides the future development and use of land in cities, towns and rural areas in the long term public interest. The goal is a prosperous and socially just Scotland with a strong economy, homes, jobs and a good living environment for everyone.

5.2 Aberdeen City and Shire Strategic Development Plan 2014

The purpose of this Plan is to set a clear direction for the future development of the North East. It promotes a spatial strategy. All parts of the Strategic Development Plan area will fall within either a strategic growth area or a local growth and diversification area. Some areas are also identified as regeneration priority areas. There are also general objectives identified. In summary, these cover promoting economic growth, promoting sustainable economic development which will reduce carbon dioxide production, adapt to the effects of climate change and limit the amount of non-renewable resources used, encouraging population growth, maintaining and improving the region's built, natural and cultural assets, promoting sustainable communities and improving accessibility in developments.

5.3 Aberdeenshire Local Development Plan 2017

Policy H1 Housing land
Policy H2 Affordable housing
Policy R2 Housing and employment development elsewhere in the countryside
Policy P1 Layout, siting and design
Policy P2 Open space and access in new development
Policy P4 Hazardous and potentially polluting developments and contaminated land
Policy E1 Natural heritage
Policy E2 Landscape
Policy C1 Using resources in buildings
Policy C4 Flooding
Policy RD1 Providing suitable services
Policy RD2 Developers' obligations

5.4 Other Material Considerations

An indicative layout has now been prepared for at least the OP1 allocation as requested by the committee on 29 May 2018. Agreement of this document would be a material consideration in the determination of this application, albeit it not a significant material consideration.

6. Discussion

- 6.1 The key planning issues in the determination of this proposal are the principle of the development, the design and layout and technical delivery of the site.

The original report extensively covers these topics and the purpose of this report is only to update on material changes since the application was last reported to committee. No changes are promoted within the application site and all matters are as presented to Garioch Area Committee on 29 May 2018.

- 6.2 The principle of development, the design and layout of the site and technical matters were considered at the Garioch Area Committee 28 May 2018. No changes to planning policies have taken place since this committee and the extant plan is still the Aberdeenshire Local Development Plan 2017. All planning matters have been discussed in the original report.
- 6.3 An indicative layout plan has been produced for the wider site encompassing at least the allocated OP1 area and this demonstrates potential future development options that can accommodate an area for community use in the area to the south of the site. This is fully discussed in the separate report on the same committee agenda.
- 6.4 The Planning Service is of the opinion that the indicative layout plan prepared for the site demonstrates broad compliance with Policy P1 (Layout, siting and design) and the requirements of the settlement statement for Inverurie and Port Elphinstone, albeit that this is a departure from Policy R2.
- 6.5 In terms of other policies, there are not considered to be any changes that would impact on the determination of this application or require different conditions to be applied.

Conclusion

- 6.6 In conclusion, it is considered that the Conglass development will deliver a number of benefits to Inverurie including providing choice within the market and the delivery of 14 affordable homes. The layout, siting and design of the proposal will create an attractive environment as well as facilitating a possible second phase of development in due course. The reason for deferral has been addressed by the submission of the indicative layout plan, which demonstrates how the second phase may be developed and how links to the wider area can be achieved.

7. Area Implications

- 7.1 In the specific circumstances of this application there is no direct connection with the currently specified objectives and identified actions of the Local Community Plan.

8. Implications and Risk

- 8.1 An equality impact assessment is not required because the development does not have a differential impact on any persons identified with protected characteristics.
- 8.2 There are no staffing and financial implications.
- 8.3 There are no risks identified in respect of this matter in terms of the Corporate and Directorate Risk Registers as the Committee is considering the application as the planning authority in a quasi-judicial role and must

determine the application on its own merits in accordance with the Development Plan unless material considerations justify a departure.

9. Sustainability Implications

- 9.1 No separate consideration of the current proposal's degree of sustainability is required as the concept is implicit to and wholly integral with the planning process against the policies of which it has been measured.

10. Departures, Notifications and Referrals

10.1 Strategic Development Plan Departures

None

10.2 Local Development Plan Departures

Policy R2 Housing and employment development elsewhere in the countryside

- 10.3 The application is a Departure from the valid Local Development Plan and has been advertised as such. Any representations received have been circulated as part of the agenda and taken into account in recommending a decision. The period for receiving representations has expired.

- 10.4 The application does not fall within any of the categories contained in the Schedule of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 and the application is not required to be notified to the Scottish Ministers prior to determination.

- 10.5 The proposed development is in the opinion of the Head of Planning and Building Standards in significant conflict with Policy R2 Housing and employment development elsewhere in the countryside of the Aberdeenshire Local Development Plan 2017 and if the Committee is minded to approve then the application will have to be referred to Infrastructure Services Committee.

11. Recommendation

- 11.1 **That Members agree that the application be referred to the Infrastructure Services Committee for determination and confirm their support for the application by agreeing that authority to GRANT Full Planning Permission be delegated to the Head of Planning and Building Standards subject to:**

- (a) **a satisfactory consultation response from Infrastructure Services (Contaminated Land) with regard to the carrying out of the required investigation works as detailed in the submitted Phase 1 Environmental Desktop Study;**
- (b) **any conditions arising from the above;**
- (c) **conclusion and registration of a S75 legal agreement; and**
- (d) **the following conditions:-**

- 1. No works in connection with the development hereby approved shall commence unless 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 brought into use 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.

2. 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.

3. No works in connection with the development hereby approved shall commence unless a detailed site-specific construction method statement and related site plan has been submitted to and approved in writing by the planning authority. The Construction Method Statement shall include:
 - how pollution will be prevented and controlled for any activities within 10m of a watercourse;
 - details of all temporary measures proposed to deal with surface water run off during construction works and prior to the implementation of the agreed Sustainable Urban Drainage System; and
 - the location of temporary settling lagoons, silt levels in discharges and temporary equipment stores.

All construction works on the site shall be carried out in accordance with the approved construction method statement.

Reason: In order to prevent potential pollution of the water environment and to protect the associated natural heritage interests of these watercourses.

4. Prior to commencement of development a Street Engineering Review (SER) and Stage 2 Quality Audit (QA) must be submitted (includes RSA, DDA, visual and NMU audit components) for approval by the Planning Service in consultation with Roads Development. QA must include designers audit responses and identify any potential conflicts between component audits together with proposed solution or balanced view ultimately proposed to address audit conflicts in the QA conclusion section.

Reason: In the interests of road safety.

5. No residential dwelling shall be occupied unless all roads, footpaths, parking and turning areas serving that dwelling have been completed to the level of bottoming and bitmac base course, including the access bellmouth and all turning heads to the current Aberdeenshire Council Road Construction Standards. Once provided, all roads, footpaths, parking and turning areas shall thereafter be permanently retained as such. Adequate visibility shall be provided at each approved new access, road junction and along roads. Once formed, the visibility splays shall be permanently retained thereafter and no visual obstruction of any kind shall be permitted within the visibility splays. Any amendments to the agreed path widths or surfacing materials shall be subject to the written agreement of the Planning Authority in consultation with the Infrastructure Service (Roads Development).

Reason: To ensure the provision of means of access, turning space and visibility and parking to an adequate standard in the interests of road safety.

6. That within 6 months of the occupation of the penultimate residential unit in this development, all roads, footpaths, parking and turning areas within and serving that phase of the development shall be completed to their final specification to the adoptable standards of Aberdeenshire Council. Once provided, all parking and turning areas shall thereafter be permanently retained as such.

Reason: To ensure the provision of a means of access and turning space to an adequate standard in the interests of road safety.

7. No dwellinghouse hereby approved shall be occupied unless a comprehensive Residential Travel Pack that sets out proposals for reducing the dependency of residents on the private car shall be submitted to and approved in writing by the Planning Authority. A copy of the Residential Travel Pack shall be provided for every new tenant and purchasers of the dwellinghouses.

Reason: In the interests of encouraging a more sustainable means of travel to and from the proposed development.

8. Prior to the construction of any dwellinghouse, the following details must be submitted to and approved in writing by the Planning Authority:
 - (a) details of the children's play equipment including surfacing materials of the play areas;

- (b) a detailed scheme for the implementation of the said equipment and surfacing; and
- (c) details of the long term management of the play equipment and surfacing.

The equipment and areas shall be implemented on site and maintained thereafter in complete accordance with the approved details and in any event shall be fully implemented prior to completion of the 28th dwellinghouse on the site.

Reason: In the interests of the ensuring the timeous provision of suitable play equipment in the areas of open space in the interests of the amenity of the area.

9. The tree management proposals shall be carried out in complete accordance with the approved scheme as contained in the Tree Survey Report, Arboriculture Impact Plan & Tree Protection Plan – Treelogic - 18 December 2017.

Reason: In order to preserve the character and visual amenity of the area.

10. All soft and hard landscaping proposals shall be carried out in accordance with the approved planting scheme and management programme. 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. Once provided, all hard landscaping works shall thereafter be permanently retained.

Reason: To ensure the implementation and management 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.

11. No dwellinghouse hereby approved shall be occupied unless the proposed surface water drainage system has been provided in accordance with the approved plans and the Drainage Impact Assessment report by Cameron & Ross – November 2017. The surface water drainage system shall be permanently retained thereafter in accordance with the approved maintenance scheme.

Reason: In order to ensure that adequate drainage facilities are provided, and retained, in the interests of the amenity of the area.

12. The proposed surface water drainage systems shall be carried out in accordance with the approved plans and no dwellinghouse shall be occupied unless its approved drainage system has been completed and certified as such by a qualified drainage engineer to the satisfaction of the Planning Authority.

Reason: To ensure that adequate surface water drainage facilities are provided in the interest of the amenity of the area.

13. The development hereby approved shall connect to the public foul sewer and public water supply and no dwellinghouse shall be occupied unless both the aforementioned connections are fully operational and accord with the requirements of Scottish Water.

Reason: To ensure that adequate water supply and foul drainage facilities are provided to serve the development in the interest of the amenity of the area.

14. Details of the materials and colour finish of all boundary enclosures shall be submitted to and approved in writing by the Planning Authority. The agreed boundary enclosures shall thereafter be implemented on site in accordance with the submitted details. No dwellinghouse hereby approved shall be occupied unless all of its associated means of enclosure has been provided in accordance with the approved plans to the satisfaction of the Planning Authority. Any variations to the boundary enclosures hereby approved shall be submitted to and approved in writing by the Planning Authority.

Reason: In the interests of the residential amenities of the occupiers of the dwellinghouses and the visual amenity of the area.

15. Prior to the occupation of any dwelling, full details of all the materials for roofs, walls, windows, doors, garage doors and rainwater goods to be used in the external finish for the approved development shall be submitted to and approved in writing by the planning authority. The development shall not be occupied unless the external finish has been applied in accordance with the approved details.

Reason: In the interests of the appearance of the development and the visual amenities of the area.

16. No individual dwellinghouse hereby approved shall be erected unless an Energy Statement applicable to that dwellinghouse 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 to 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 the Council's Supplementary Planning Guidance on Carbon Neutrality in New Developments.

The development shall not 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 Scottish Planning Policy and the Council's Supplementary Planning Guidance - Carbon Neutrality in New Developments.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 or any order amending, revoking or re-enacting that Order no means of enclosure, other than that shown on the approved plans shall be erected on the site under the terms of Class 3E of Schedule 1 to that Order without an express grant of planning permission from the planning authority.

Reason: In the interests of the character and appearance of the development.

18. Prior to the occupation of any dwelling the existing access track on the western boundary of the site shall be closed off and locked gates installed in accordance with the details shown on the approved plan – Ref: 5295-05F. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 or any order amending, revoking or re-enacting that Order, the existing access shall not subsequently be reopened and no new access, other than that approved under this planning permission, shall be formed, laid out or constructed under the terms of Class 8 of Schedule 1 to that Order without an express grant of planning permission from the planning authority.

Reason: In the interests of road safety.

11.2 That the Committee agree the reason for departing from the Aberdeenshire Local Development Plan 2017.

The proposed development will allow a further area for residential development within Inverurie, providing choice within the market. The delivery of 14 further affordable homes is to be welcomed. The scheme has demonstrated a number of positive layout and design aspects that overcome the recognised limitations of the site. The Planning Service is satisfied that the repositioning of the allocated site will provide an improved layout and access arrangements as well as facilitating a possible second phase of development in due course.

For noting:-

Part 2C (Planning Delegations) states at Section C.2.2 for Major Development, that following consultation with the Chair and Vice-Chair of the determining Committee for applications initially dealt with by the Area Committee, the Head of Planning and Building Standards can refuse planning applications for which Section 75 Agreements are not completed or Developer Obligations are not paid within six months from the date of the Committee at which the application is determined. Local Ward Members shall be notified of any such refusal.

Please note that this power may be exercised in respect of the application which is the subject of this report if the application is approved by the Committee.”

Stephen Archer
Director of Infrastructure Services
Author: Matthew Watt (Planner)
Date: 05/06/2018



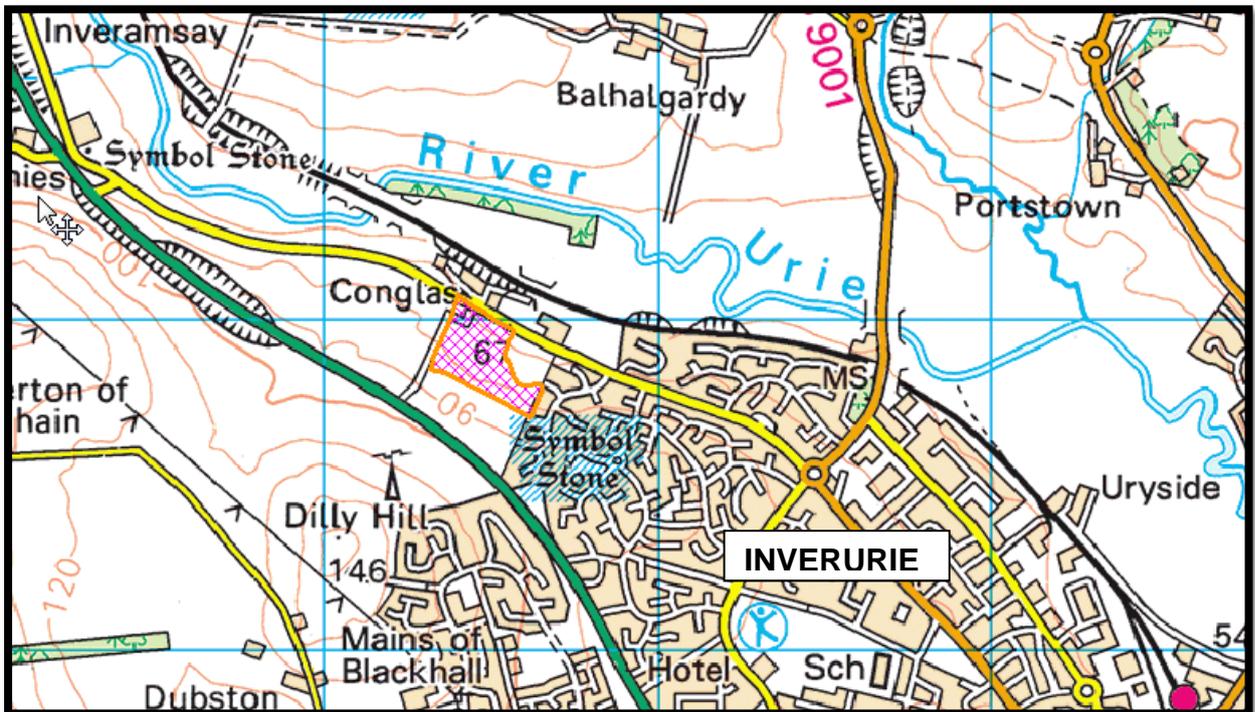
Garioch Area Committee Report – 29 May 2018

Reference No: APP/2017/3188

Description: Full Planning Permission for Residential Development and Associated Infrastructure at Site at Conglass, Crawford Road, Inverurie

Applicant: CALA Management Ltd
Agent: CALA Homes (North) Ltd

Grid Ref:	E:375441 N:822939
Ward No. and Name:	W11 – Inverurie and District
Application Type:	Full Planning Permission
Representations:	0
Consultations:	16
Relevant Proposals Map	Partial – Inverurie Settlement, Allocated site OP1
Designations:	Partial – Countryside (AHMA)
Complies with Development Plans:	No
Main Recommendation:	Refer to ISC



NOT TO SCALE

Reproduced from Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright and database rights. Ordnance Survey Licence Number 0100020767.

1. Reason for Report

- 1.1 The Committee is able to consider this item in terms of Section B.9.1 of Part 2A List of Committee Powers and Section C.2.1c of Part 2C Planning Delegations of the Scheme of Governance as the application is for major development which in the professional opinion of the Head of Planning and Building Standards is a departure from the Development Plan and which therefore will be determined by Infrastructure Services Committee following consultation with the relevant Area Committee.
- 1.2 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and had no comments to make.

2. Background and Proposal

- 2.1 Full planning permission is sought for the erection of 57 residential dwellings and associated infrastructure at Conglass, Inverurie.
- 2.2 The proposed site lies directly adjacent to Crawford Road (old A96), Inverurie and is positioned at the entrance to the settlement when entering Inverurie from a westerly direction. The site extends to approximately 5.6ha and is currently used as agricultural land. The site is bounded to the north by Crawford Road and further to the north by agricultural land and farm buildings. Directly to the east of the proposed site is the Bennachie View care home and a small number of supported living residential units, further east is the established residential area. To the south and west is agricultural land. The site rises from the north to the south with a rise of approximately 18m. There is an existing silage pit/storage area in the north west corner of the site and an agricultural access track along the north west boundary. There are a small number of trees on the south east boundary of the site.
- 2.3 The site lies partially within the settlement boundary of Inverurie and partially within the countryside part of Aberdeen Housing Market Area (AHMA) as defined in the ALDP 2017. The part within the Inverurie settlement is also designated as OP1, although this extends further than the proposed site.
- 2.4 The ALDP 2017 states:

OP1: Conglass Allocation: Mix of uses including 58 homes and 0.35 ha of employment land This site was previously allocated as site M1 in the 2012 LDP. It is located on the north-western edge of the town and is bounded by the A96 to the south, the old A96 to the north and existing housing development to the east. There are open views to the west and strategic landscaping is likely to be required along this boundary to soften the settlement edge and reduce the visual impact of development. A masterplan is required to detail how the development, and its access, will integrate with the care home and associated uses in the northern part of the site. The development should comprise a mix of house types and sizes in keeping with the character of the surrounding area, and should include 14 affordable homes integrated within the site design. A drainage impact assessment will need to be undertaken and full SUDS implementation, along with adequate buffer zone provision, will be required. Planning permission has been granted

for the development of a 60-bed care home and 8 associated dwellings within the northern part of the site (APP/2011/3487 and APP/2013/0151).

- 2.5 As noted above the care home and associated dwellings have now been constructed and occupied. No other designations are attached to the site.
- 2.6 In effect the allocated site (OP1) has been turned 90°, which results in approximately 3.6ha being outwith the ALDP 2017 allocation and also the settlement boundary. The applicant has held extensive pre-application discussions with the Planning Service and has provided justification for the proposed change to the boundary in the supporting statement.
- 2.7 This proposal is for the erection of 57 dwellinghouses, including a range of property types from 1 bedroom flats to 5 bedroom detached dwellings. The affordable housing element (14 units) will be located towards the eastern boundary of the site.
- 2.8 The proposed materials include drydash render (Glenarm on White) and feature stonework (Fyfestone Elite Pitched), Marley 'Duo Edgemere', UPVC windows and doors.
- 2.9 Boundary treatments would consist of a mix of designs depending on the position and function of the plot. Much of the east and north site boundary will feature dry stone dykes. Individual house plots would generally include low hedging to the front of the property and higher timber fencing to the rear. Some properties would contain high level rendered walls.
- 2.10 Proposed vehicular access to the development is from Crawford Road utilising an existing spur that serves the care home and a new access further to the west. A small private access, off Crawford Road, would serve three proposed dwellings. The main access roads through the site would climb the gradient and then serve individual dwellings and allow potential links to future development both to the west and south. A footway is proposed along the length of the internal road network and this includes double footways for much of this network. There are a number of other footpaths proposed throughout the site that will allow pedestrian access. A footpath is proposed between the site and the existing residential development to the east. An existing 2m wide footpath is located to the south of Crawford Road and continues along Balhargardy Rise to the care home. This would link into the proposed path network within the development. It is also proposed to extend the existing path along the south of Crawford Road to the western boundary of the application site.
- 2.11 Parking for the site would be located on the driveways of the proposed dwellings and in communal parking areas throughout the site. Visitor parking will also be located throughout the site.
- 2.12 Within the proposed development, a total of 40% open space is proposed, this is distributed throughout the site and provides a range of functions including strategic landscaping, footpath networks, woodland planting, sustainable urban drainage system (SUDS) scheme etc. An equipped play area is proposed in the centre of the site.
- 2.13 The proposed houses are to be connected to the public water supply. A SUDS is proposed for the surface water. This will provide a single level of

treatment with a second level of treatment provided by a swale/filtration trench. Foul water will connect into the existing public sewer network.

2.14 A range of supporting information has been submitted, including:

- Planning, Design and Access Statement by Cala Homes and Lippe Architects and Planners – December 2017
- Phase 1 Environmental Desktop Study by Grampian Geotechnical - March 2017
- Drainage Impact Assessment by Cameron & Ross – November 2017
- Geotechnical investigations by Cameron & Ross – November 2017
- PAC report by Cala Homes and Lippe Architects and Planners – December 2017
- Tree Survey Report, Arboricultural Impact Assessment & Tree Protection Plan by Treelogic – December 2017
- Transportation Statement by Cameron & Ross – November 2017
- Road Safety Audit by Wyllie Lodge – November 2017
- Street Engineering Review & Quality Audit by Cameron & Ross – November 2017
- Further information on open space within the wider settlement was submitted by Cala Homes.

2.15 There is a limited planning history to the site, as follows;

ENQ/2017/1633 – Proposal of Application Notice - Residential Development and Associated Works - PAC Agreed as Specified in Notice

ENQ/2017/1987 - Environmental Impact Assessment (EIA) Screening Request – No EIA required.

ENQ/2017/0017 - The proposal was discussed at the major applications meeting on 28/09/2017. Various technical consultees provided comments and the principle of development was discussed.

APP/2011/3487 - Planning Permission in Principle - Erection of 60-bed Care Home and Associated 8 no. Dwellinghouses, Guest Suite, Parking and Gardens – Approved December 2011

APP/2013/0151 - Approval of Matters Specified in Conditions - Conditions 3 (Siting, Design, External Appearance and Landscaping), 7 (Landscaping), 11 (Access) and 13 (Footpath) of Planning Permission in Principle (Ref. APP/2011/3487) for Erection of 60 bed Care Home and Associated 8 no. Dwellinghouses, Guest Suite and Gardens – Approved March 2013

2.16 There have been some amendments to the layout and design of the proposal during the assessment of the planning application. This includes alterations to some of the driveways and parking provision and improvements to the public open space provision and location of the play area.

3. Representations

3.1 No valid letters of representation have been received.

4. Consultations

- 4.1 **Business Services (Developer Obligations)** has agreed developer obligations for secondary education, community facilities, sport and recreation, healthcare and waste. A 25% affordable housing contribution has also been secured.
- 4.2 **Infrastructure Services (Archaeology)** has suggested that a planning condition is attached for a programme of archaeological works. A number of informatives are also suggested.
- 4.3 **Infrastructure Services (Contaminated Land)** received and commented on a Phase 1 Environmental Desktop Study to address any contamination issues on the site. The report submitted was found to be satisfactory, however this recommended that intrusive investigation work should be carried out on a part of the site. This work is currently being carried out by the applicant and the results are awaited at the time of writing. Following this, a response from the consultee will be submitted.
- 4.4 **Infrastructure Services (Environmental Health)** has suggested a planning condition is attached in regard to connection to the public water supply. Two informatives are suggested in regard to construction noise and dust.
- 4.5 **Infrastructure Services (Environment)** has confirmed that the landscape plans and tree report and tree protection plans are acceptable. Landscape and site plans have been updated to reflect the final and agreed position.
- 4.6 **Infrastructure Services (Housing Strategy)** has noted the affordable housing proposal as 14 units which, along with a contribution that equates to 25% of the total site. The affordable units are identified as plots 44-57. The units will be delivered as social rent. It is noted that the 14 units should be delivered on completion of the 36 open market units, which will form part of the terms for the legal agreement. The Housing Service supports this application.
- 4.7 **Infrastructure Services (Landscape Services)** has no objection to the proposal.
- 4.8 **Infrastructure Services (Flood Prevention Unit)** has no objection to the proposal subject to a condition on the delivery of the proposed drainage infrastructure.
- 4.9 **Infrastructure Services (Planning Policy)** is satisfied that the information submitted addresses the main issues and provides justification for amending the orientation of the site on the basis of providing improved access and a better road layout. It has been confirmed that the care home can be used to contribute towards the employment land allocation. Furthermore it has been confirmed that the housing numbers in the ALDP 2017 are indicative. This therefore offers a degree of flexibility in terms of the number of homes that could be permitted on any allocated site subject to layout, siting and design, and where any associated negative impacts on infrastructure, open space and residential amenity can be mitigated. It is confirmed that an additional seven residential units in itself would not constitute a departure in this case.

- 4.10 **Infrastructure Services (Roads Development)** does not object to the proposal subject to planning conditions on access, parking requirements, and the submission of a Street Engineering Review (SER) and Stage 2 Quality Audit (QA).
- 4.11 **Infrastructure Services (Transportation)** has stated that the Transport Statement is acceptable and is content with the conclusions reached. The extension of the existing path adjacent to Crawford Road is welcomed. The distance to the nearest bus stop is acceptable and the submitted walking and cycling isochrones are found to be acceptable. The inclusion of the travel plan information is also welcome, and it is expected that the information provided will form the basis for a Residential Travel Plan to be included in the move in packs for each and every home prior to each unit's date of occupation. The trip generation figures have been reviewed and deemed acceptable and appropriate. Therefore, the proposal is considered acceptable and no objection is raised subject to the conditions.
- 4.12 **Infrastructure Services (Waste Management)** has no objection following a review of the accessibility of the site in terms of refuse vehicle manoeuvring and bin presentation.
- 4.13 **Grampian NHS** has confirmed that this development would be served by the new Inverurie Health Centre, therefore developer contributions would be required.
- 4.14 **Scottish Water** has no objection to the proposal and has confirmed that there is currently sufficient capacity at Invercarnie Water Treatment Works and Inverurie Waste Water Treatment Works.
- 4.15 **SEPA** does not object to the proposal subject to two conditions, namely a connection to the sewer network and the submission and agreement of a Construction Environmental management Plan. It has confirmed that the site lies outwith the medium likelihood flood extent and it has no records of flooding on the site.
- 4.16 **Transport Scotland** originally requested a condition to permanently close the existing access onto the A96 trunk road. A solution (locked gates) was suggested to ensure the existing access onto the A96 was only used by the farmer and not by residents of the proposed development. Transport Scotland is willing to remove the suggested condition subject to a condition to ensure the proposed gates remained locked.

5. Relevant Planning Policies

5.1 Scottish Planning Policy

The aim of the Scottish Planning Policies is to ensure that development and changes in land use occur in suitable locations and are sustainable. The planning system must also provide protection from inappropriate development. Its primary objectives are:

- to set the land use framework for promoting sustainable economic development;
- to encourage and support regeneration; and

- to maintain and enhance the quality of the natural heritage and built environment.

Development and conservation are not mutually exclusive objectives; the aim is to resolve conflicts between the objectives set out above and to manage change. Planning policies and decisions should not prevent or inhibit development unless there are sound reasons for doing so. The planning system guides the future development and use of land in cities, towns and rural areas in the long term public interest. The goal is a prosperous and socially just Scotland with a strong economy, homes, jobs and a good living environment for everyone.

5.2 Aberdeen City and Shire Strategic Development Plan 2014

The purpose of this Plan is to set a clear direction for the future development of the North East. It promotes a spatial strategy. All parts of the Strategic Development Plan area will fall within either a strategic growth area or a local growth and diversification area. Some areas are also identified as regeneration priority areas. There are also general objectives identified. In summary, these cover promoting economic growth, promoting sustainable economic development which will reduce carbon dioxide production, adapt to the effects of climate change and limit the amount of non-renewable resources used, encouraging population growth, maintaining and improving the region's built, natural and cultural assets, promoting sustainable communities and improving accessibility in developments.

5.3 Aberdeenshire Local Development Plan 2017

Policy H1 Housing land
Policy H2 Affordable housing
Policy R2 Housing and employment development elsewhere in the countryside
Policy P1 Layout, siting and design
Policy P2 Open space and access in new development
Policy P4 Hazardous and potentially polluting developments and contaminated land
Policy E1 Natural heritage
Policy E2 Landscape
Policy C1 Using resources in buildings
Policy C4 Flooding
Policy RD1 Providing suitable services
Policy RD2 Developers' obligations

5.4 Other Material Considerations

None

6. Discussion

6.1 The main issues that require to be assessed in this application relate to;

- the principle of the development;
- design and layout of the proposed development;
- technical delivery of the site; and
- other material considerations

Principle

- 6.2 Policy H1 Housing land in the Aberdeenshire Local Development Plan 2017 supports 'the development of housing on sites allocated for that purpose within the local development plan and as shown in the settlement statements'. As noted previously the proposed site partially covers OP1, this allocated site promotes a total of 58 homes and 0.35 ha of employment land. However planning permission has been granted and the buildings constructed for a care home and 8 associated residential units on part of this allocated site. This proposal provides 20 of the dwellings within the allocated site with the 37 additional units outwith the allocated site boundary. Therefore, in principle the development of the 20 dwellings on the allocated part of the site can be supported and is considered compliant with the above policy.
- 6.3 The remaining 37 dwellings are located outwith the settlement boundary (AHMA) on unallocated land and effectively in the countryside. Therefore, these must be considered against Policy R2 Housing and employment development elsewhere in the countryside.
- 6.4 This policy supports small-scale development of no more than three houses when it meets one of several criteria including where:
- It would be appropriate in the greenbelt; or
 - It would involve the refurbishment or replacement, on the same site, of an existing house or disused building; or
 - It would involve remediation of redundant brownfield land opportunities; or
 - It is for small-scale growth of settlements where a particular need has been identified; or
 - It is for retirement succession of a viable farm holding.
- 6.5 In all cases, siting and design of any new development will be a primary consideration.
- 6.6 The proposal for the additional 37 houses is not classified as small-scale development under the Local Development Plan and the proposal does not comply with any of the above criteria. It should be noted that Inverurie is not identified as a settlement within Appendix 4 of the LDP 2017 and therefore small-scale growth of no more than 3 houses within 200m of the settlement boundary is not promoted in this case. Therefore, the proposal does not comply with Policy P2: Housing and Employment Development Elsewhere in the Countryside.
- 6.7 It is clear that the proposal does not comply with the above policy requirements, however there are a number of material considerations which the Planning Service concludes that warrant a departure:
- Overcoming the difficulties associated with accessing the site specifically the steep gradients and restrictions due to the existing care home development;
 - Improved site and road layout;
 - Reduction in potential earthworks movements;
 - Ensuring the proposal is Equalities Act 2010 compliant; and
 - Ensuring that the site can be delivered.

- 6.8 The supporting statement has made a compelling case with regard to the justification and reasoning to the change of position of the allocated site. The allocated site is a relatively narrow strip that has a steep gradient and access is restricted by the existing care home development on the site. This would result in a steep access road and therefore would require significant earthworks to accommodate the required gradient. It is recognised that there is an existing access road from Crawford Road already in place to serve this development, but due to the positioning of the care home it is not possible to provide a secondary access within the allocated site. Furthermore, it is stated by the applicant that the gradient of the site may make it difficult to provide the requisite access routes in compliance with the Equalities Act 2010 (EA).
- 6.9 The supporting statement claims that ‘turning’ the allocated site to form a 330m wide strip of land would allow the site gradient to more closely follow the existing topography, thus reducing earthwork cut volumes, retaining walls and embankment requirements, as well as providing easier design of EA compliant access routes.
- 6.10 The Planning Service, in consultation with Roads Development has accepted that the proposed road layout and access arrangements are acceptable, taking into account the topography of the site. Furthermore, excessive remodelling of the landform is to be discouraged as this will create artificial site levels and prevent the development blending into the wider landscape.
- 6.11 The reconfigured site would allow an improved layout design, as the road and path network will be improved but also the development will front onto Crawford Road and create a gateway feature to Inverurie. This is discussed in more detail in the following sections. Additionally the applicant claims that this revised site can be delivered and therefore bring forward the housing allocations as defined in the ALDP 2017.
- 6.12 Overall, the proposal does not fully meet the requirements of Policy R2 Housing and employment development elsewhere in the countryside, however, the Planning Service is satisfied that there is significant merit in this proposal to warrant support as a departure. It is acknowledged that the allocated site poses significant challenges and the revised site plan alleviates many of these issues, while also delivering an improved layout design.

Affordable Housing

- 6.13 Policy H2 Affordable housing requires that all new developments of four or more houses include 25% of the service plots for affordable housing. This proposal is for the development of 57 dwellings, therefore in order to comply with the above policy there is a requirement for 14 affordable units and a cash contribution in lieu of 0.25 of a unit.
- 6.14 Infrastructure Services (Housing Strategy) note this proposal is for full planning permission for 57 units and the affordable housing as proposed is detailed in the table below:

Table 1 - Affordable housing as proposed based on total of 57 residential units					
1 Bed flats/houses	2 bed houses	3 bed houses (no flats)	4 bed houses (no flats)	Total Affordable	%
4	4	4	2	14	25%

- 6.15 These are shown as plots 44-57 on the site plan. The 4 bedroom houses have a downstairs bedroom and shower room and so should be suitable for particular needs. It is highlighted that the proposal is in accordance with the Local Development Plan's Affordable Housing Policy providing an onsite contribution of 25%.
- 6.16 Subject to agreement, it is anticipated that the affordable housing contribution of 14 units will be delivered before the completion of the 36th open market unit. A S75 agreement would be required to ensure the affordable housing is delivered by the correct trigger points. The above meets the requirements of Policy H2 Affordable housing.

Layout, Siting and Design

- 6.17 Policy P1: Layout, Siting and Design only supports development designs that demonstrate the six qualities of successful places, which includes that it is distinctive; safe and pleasant; welcoming; adaptable; efficient and well connected.
- 6.18 The application site lies at the western gateway to the settlement of Inverurie. The site entrance off Crawford Road, includes a grassed area with a landscape buffer along the north east boundary. Within the site, the layout is generally a result of the topography of the land, however a number of areas of open space ensure that the built development is accommodated within the setting of the site. The SUDS basin and play area provide focal points for the development. As noted this will create a 'gateway' to the entrance to Inverurie and careful consideration of this element of the site will ensure that the new development will create a welcoming approach. The general layout of the site is considered to be acceptable due to the provision of a central area of open space with houses overlooking this area.
- 6.19 A variety of house types are proposed which includes 4-5 bedrooms and a range of smaller units associated with the affordable housing element of the proposal. Although it is acknowledged that the mix of housing could be further enhanced by the inclusion of open market two bedroom houses and semi-detached or terraced properties, the proposed housing mix is considered, on balance, to be acceptable in this case due to the large scale nature of the site in relation to the proposed house numbers and the number of house types offered which provides variation throughout the site. The open market houses are similar in scale and would continue the pattern of development in recent developments to the east and north of the site. The proposed design and finishes for the dwellinghouses are generally considered acceptable for the development.
- 6.20 The proposed layout provides an acceptable area of private garden ground for each plot. There are no significant concerns with overshadowing or overlooking within the proposed development due to the plot sizes, orientation, distance from house windows to plot boundaries and the proposed boundary treatments. Specifically, in consideration of the closest existing dwellinghouses to the east of the site, the proposed distances from the houses to those existing and the existing mature landscape is sufficient to avoid any overshadowing or overlooking. An indicative masterplan has been submitted showing development on the upper part of the slope. This area, which may form part of a second phase of development, would require to be subject to inclusion in a future LDP before development could be considered.

Overall, the proposal is considered acceptable in terms of layout, siting and design and complies with Policy P1: Layout, siting and design.

Landscape

- 6.21 Policy E2: Landscape supports development only where it does not cause unacceptable effects through its scale, location or design on key natural landscape elements, historic features or the composition or quality of the landscape character. Development should not otherwise significantly erode the characteristics of landscapes as defined in the Landscape Character Assessments produced by Scottish Natural Heritage, or that which has been identified as Special Landscape Area (SLA) of local importance. Developments located within the SLA will only be permitted if the qualifying interests are not being adversely affected or effects of the development are clearly outweighed by social, environmental or economic benefits of at least local importance.
- 6.22 The application site is identified as being in the Central Wooded Estates Landscape Character area. The area occupies a substantial area to the east of Bennachie between the Dee and Don Valleys, extending to the western edge of Aberdeen. The landscape and topography in this area is varied with a common feature of dense woodland. The character of the area is rural with more concentrated development directed to settlements towards the northern part of the area. This is in effect an extension to the existing settlement with significant residential development in close proximity. The site is now contained within the lower slope therefore this will reduce the impact on the wider landscape.
- 6.23 It is acknowledged that the development of a residential estate will have a visual impact on the wider area, however as noted there is significant residential development in the local area. The role of landscaping is to provide mitigation for the visual impact. It is accepted that the proposed buildings may be visible from some directions, however the proposed landscaping will ensure that the impact is mitigated over time. Taking account of the wider setting, the proposals would not result in any detrimental impact on the wider landscape and is in accordance with Policy E2 of the ALDP 2017.

Open Space and landscaping

- 6.24 Policy P2: Open Space and Access in New Development requires all new development to be accompanied by adequate public open space appropriate to the standards shown in the Aberdeenshire Parks and Open Space Strategy; i.e. safe, welcoming, distinctive, well-connected and accessible. It is generally expected that 40% of each major development site is provided as good quality open space, taking into consideration the location, function and characteristics of the proposed site.
- 6.25 The proposal site, with a total of 57 homes, is a major application under the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. Therefore, the requirement for public open space is 40% of the total development area. The proposed site originally included 37.5% of public open space and it was claimed that the difficult topography of the site restricted the amount of open space. The Planning Service acknowledge that the site has topographical challenges, however, a layout re-design was

undertaken by the applicant to increase the open space. The redesign of the site layout now allows the 40% open space requirement to be met.

- 6.26 The open space is distributed throughout the site, including a significant area containing the SUDS basin at the entrance to the site. The proposed dwellings facing onto Crawford road are set back from this road and therefore create an area of open space to the frontage. Furthermore the proposed play area creates a significant area of open space within the centre of the site. There are a number of other areas of open space which provide a variety of functions, including strategic landscaping on the western boundary, open space associated with the internal path network, and providing a setting for the proposed dwellings. Overall the layout of the open space is found to be satisfactory, welcoming and accessible throughout the site.
- 6.27 The Planning Service had concerns regarding the amount of usable open space within the site, specifically in regard to play areas, formal recreation space etc. As noted the topography of the site is challenging and it is acknowledged that the delivery of some specific elements are restricted on this site. However, the layout of the site was reconfigured to reposition the play area within a central area of the site. This will allow reasonable access from all proposed dwellings and provide a safe area due to the central position and overlooking aspects of the facility. It is acknowledged that a formal sports pitch could not be accommodated within the site, however the applicant submitted information demonstrating links to the existing sports facilities and other open space provision within Inverurie. The Planning Service accepts that the proposed open space within the site would serve the new development and meet the relevant criteria as noted above. Furthermore the existing open space provision within the wider settlement can also be utilised to provide formal recreational and sports facilities.
- 6.28 Consultation with Infrastructure Services (Natural Heritage) and Infrastructure Services (Landscape Services) have raised no concerns with the proposed landscaping plan. Delivery of the landscaping would be required through condition to ensure it is provided prior to the completion of the site and is maintained in perpetuity. Overall, the Planning Service recognises the limitations of the site due primarily to the topography, however, the proposed scheme of open space fulfils a number of requirements and therefore meets the requirements of Policy P2: Open Space and Access in New Development.
- 6.29 Policy C1 Using resources in buildings requires new buildings to demonstrate a minimum level in the reduction of carbon dioxide emissions. A planning condition would ensure details are agreed before development commences.

Access and parking

- 6.30 Policy RD1: Providing Suitable Services only allows development that provides adequate road, waste management, water or waste water facilities, connections and treatment as appropriate.
- 6.31 In terms of access to new development, proposals are supported where they are well-related to existing development, are in accordance with the national 'Designing Street' and do not create an impermeable barrier to further development; are close to existing public transport services; includes provision for access by all users; are designed to an agreed standard and causes minimal impact on the character of the site and surrounding area; and

are designed to the satisfaction of the Council's Roads Development department.

- 6.32 The proposal includes a new access from Crawford Road and utilising an existing access that currently serves the care home. The internal road network includes footways and additional connective paths throughout the site.
- 6.33 All private parking was originally contained on the driveways to the front of the individual dwellings. However, it was noted that due to the fact that most of the garages are too small to accommodate a parking space, there was a higher than necessary amount of parking in front of properties. The Planning Service did not support this proposal to locate all of the parking to the front of the dwellings due to the impact 2-3 cars for each house would have on the streetscene. Therefore some of this provision was distributed throughout the site in identified parking areas. This ensures that the frontages to the individual dwellings would not be dominated by hard standing and car parking.
- 6.34 Infrastructure Services (Roads Development) is now content with the levels of parking provided for individual dwellings and visitors. Infrastructure Services (Transportation) is also content with the proposed links throughout the development and the connectivity to the existing settlement. The proposed new accesses to and within the site are considered acceptable and the proposal complies with Policy RD 1: Providing Suitable Services.
- 6.35 This policy requires that new development does not cause an impermeable barrier to further development. As noted previously the topography of the site would have made it difficult to deliver the allocated site, however, the submitted masterplan demonstrates that the wider site is capable of being developed if this proposal is granted. Therefore, the proposal has the potential to provide suitable links to any future development sites and does not conflict with this aspect of Policy RD 1: Providing Suitable Services.

Drainage

- 6.36 Onsite drainage infrastructure will connect to the public drainage network. Likewise the site will connect to the public water supply network. The proposed SUDS scheme will dispose of the surface water from the development. All of the above fulfils the requirements to ensure successful delivery of the site, therefore complies with Policy RD1 Providing suitable services.

Waste collection

- 6.37 Individual waste collection will be undertaken throughout the site. Swept path analysis details were submitted which demonstrates that a refuse vehicle can access the required areas of the site in an efficient manner. The internal loop road will ensure reversing is minimised.

Flooding

- 6.38 SEPA has confirmed that the site is outwith the medium flood risk area and there are no known flood events on this site. Likewise the Flood Prevention Unit is satisfied with the proposal and also the surface water drainage

proposals. It has been demonstrated that the proposal will comply with Policy C4 Flooding.

Representations

- 6.39 No representations were submitted as part of this application.

Conclusion

- 6.40 It is clear that the proposed residential development does not strictly comply with the planning policies as contained in the ALDP 2017, specifically Policy R2 Housing and employment development elsewhere in the countryside. However, the supporting statement has provided a number of key material considerations and the Planning Service is satisfied that the repositioning of the allocated site will provide an improved layout and access arrangements.
- 6.41 The scheme proposed will allow a further area for residential development within Inverurie, providing choice within the market. The delivery of 14 further affordable homes is to be welcomed. The layout, siting and design of the proposal will create an attractive environment as well as facilitating a possible second phase of development in due course.

7. Area Implications

- 7.1 In the specific circumstances of this application there is no direct connection with the currently specified objectives and identified actions of the Local Community Plan.

8. Implications and Risk

- 8.1 An equality impact assessment is not required because the development does not have a differential impact on any persons identified with protected characteristics.
- 8.2 There are no staffing and financial implications.
- 8.3 There are no risks identified in respect of this matter in terms of the Corporate and Directorate Risk Registers as the Committee is considering the application as the planning authority in a quasi-judicial role and must determine the application on its own merits in accordance with the Development Plan unless material considerations justify a departure.

9. Sustainability Implications

- 9.1 No separate consideration of the current proposal's degree of sustainability is required as the concept is implicit to and wholly integral with the planning process against the policies of which it has been measured.

10. Departures, Notifications and Referrals

- 10.1 Strategic Development Plan Departures

None

10.2 Local Development Plan Departures

Policy R2 Housing and employment development elsewhere in the countryside

- 10.3 The application is a Departure from the valid Local Development Plan and has been advertised as such. Any representations received have been circulated as part of the agenda and taken into account in recommending a decision. The period for receiving representations has expired.
- 10.4 The application does not fall within any of the categories contained in the Schedule of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 and the application is not required to be notified to the Scottish Ministers prior to determination.
- 10.5 The proposed development is in the opinion of the Head of Planning and Building Standards in significant conflict with Policy R2 Housing and employment development elsewhere in the countryside of the Aberdeenshire Local Development Plan 2017 and if the Committee is minded to approve then the application will have to be referred to Infrastructure Services Committee.

11. Recommendation

11.1 That Members agree that the application be referred to the Infrastructure Services Committee for determination and confirm their support for the application by agreeing that authority to GRANT Full Planning Permission be delegated to the Head of Planning and Building Standards subject to:

- (a) a satisfactory consultation response from Infrastructure Services (Contaminated Land) with regard to the carrying out of the required investigation works as detailed in the submitted Phase 1 Environmental Desktop Study;**
- (b) any conditions arising from the above;**
- (c) conclusion and registration of a S75 legal agreement; and**
- (d) the following conditions:-**

1. No works in connection with the development hereby approved shall commence unless 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 brought into use 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.

2. 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.

3. No works in connection with the development hereby approved shall commence unless a detailed site-specific construction method statement and related site plan has been submitted to and approved in writing by the planning authority. The Construction Method Statement shall include:
 - how pollution will be prevented and controlled for any activities within 10m of a watercourse;
 - details of all temporary measures proposed to deal with surface water run off during construction works and prior to the implementation of the agreed Sustainable Urban Drainage System; and
 - the location of temporary settling lagoons, silt levels in discharges and temporary equipment stores.

All construction works on the site shall be carried out in accordance with the approved construction method statement.

Reason: In order to prevent potential pollution of the water environment and to protect the associated natural heritage interests of these watercourses.

4. Prior to commencement of development a Street Engineering Review (SER) and Stage 2 Quality Audit (QA) must be submitted (includes RSA, DDA, visual and NMU audit components) for approval by the Planning Service in consultation with Roads Development. QA must include designers audit responses and identify any potential conflicts between component audits together with proposed solution or balanced view ultimately proposed to address audit conflicts in the QA conclusion section.

Reason: In the interests of road safety.

5. No residential dwelling shall be occupied unless all roads, footpaths, parking and turning areas serving that dwelling have been completed to the level of bottoming and bitmac base course, including the access bellmouth and all turning heads to the current Aberdeenshire Council Road Construction Standards. Once provided, all roads, footpaths, parking and turning areas shall thereafter be permanently retained as such. Adequate visibility shall be provided at each approved new access, road junction and along roads. Once formed, the visibility splays shall be permanently retained thereafter and no visual obstruction of any kind shall be permitted within the visibility splays. Any amendments to the agreed path widths or surfacing materials shall be subject to the written agreement of the Planning Authority in consultation with the Infrastructure Service (Roads Development).

Reason: To ensure the provision of means of access, turning space and visibility and parking to an adequate standard in the interests of road safety.

6. That within 6 months of the occupation of the penultimate residential unit in this development, all roads, footpaths, parking and turning areas within and serving that phase of the development shall be completed to their final specification to the adoptable standards of Aberdeenshire Council. Once provided, all parking and turning areas shall thereafter be permanently retained as such.

Reason: To ensure the provision of a means of access and turning space to an adequate standard in the interests of road safety.

7. No dwellinghouse hereby approved shall be occupied unless a comprehensive Residential Travel Pack that sets out proposals for reducing the dependency of residents on the private car shall be submitted to and approved in writing by the Planning Authority. A copy of the Residential Travel Pack shall be provided for every new tenant and purchasers of the dwellinghouses.

Reason: In the interests of encouraging a more sustainable means of travel to and from the proposed development.

8. Prior to the construction of any dwellinghouse, the following details must be submitted to and approved in writing by the Planning Authority:
 - (a) details of the children's play equipment including surfacing materials of the play areas;
 - (b) a detailed scheme for the implementation of the said equipment and surfacing; and
 - (c) details of the long term management of the play equipment and surfacing.

The equipment and areas shall be implemented on site and maintained thereafter in complete accordance with the approved details and in any

event shall be fully implemented prior to completion of the 28th dwellinghouse on the site.

Reason: In the interests of the ensuring the timeous provision of suitable play equipment in the areas of open space in the interests of the amenity of the area.

9. The tree management proposals shall be carried out in complete accordance with the approved scheme as contained in the Tree Survey Report, Arboriculture Impact Plan & Tree Protection Plan – Treelogic - 18 December 2017.

Reason: In order to preserve the character and visual amenity of the area.

10. All soft and hard landscaping proposals shall be carried out in accordance with the approved planting scheme and management programme. 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. Once provided, all hard landscaping works shall thereafter be permanently retained.

Reason: To ensure the implementation and management 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.

11. No dwellinghouse hereby approved shall be occupied unless the proposed surface water drainage system has been provided in accordance with the approved plans and the Drainage Impact Assessment report by Cameron & Ross – November 2017. The surface water drainage system shall be permanently retained thereafter in accordance with the approved maintenance scheme.

Reason: In order to ensure that adequate drainage facilities are provided, and retained, in the interests of the amenity of the area.

12. The proposed surface water drainage systems shall be carried out in accordance with the approved plans and no dwellinghouse shall be occupied unless its approved drainage system has been completed and certified as such by a qualified drainage engineer to the satisfaction of the Planning Authority.

Reason: To ensure that adequate surface water drainage facilities are provided in the interest of the amenity of the area.

13. The development hereby approved shall connect to the public foul sewer and public water supply and no dwellinghouse shall be occupied unless both the aforementioned connections are fully operational and accord with the requirements of Scottish Water.

Reason: To ensure that adequate water supply and foul drainage facilities are provided to serve the development in the interest of the amenity of the area.

14. Details of the materials and colour finish of all boundary enclosures shall be submitted to and approved in writing by the Planning Authority. The agreed boundary enclosures shall thereafter be implemented on site in accordance with the submitted details. No dwellinghouse hereby approved shall be occupied unless all of its associated means of enclosure has been provided in accordance with the approved plans to the satisfaction of the Planning Authority. Any variations to the boundary enclosures hereby approved shall be submitted to and approved in writing by the Planning Authority.

Reason: In the interests of the residential amenities of the occupiers of the dwellinghouses and the visual amenity of the area.

15. Prior to the occupation of any dwelling, full details of all the materials for roofs, walls, windows, doors, garage doors and rainwater goods to be used in the external finish for the approved development shall be submitted to and approved in writing by the planning authority. The development shall not be occupied unless the external finish has been applied in accordance with the approved details.

Reason: In the interests of the appearance of the development and the visual amenities of the area.

16. No individual dwellinghouse hereby approved shall be erected unless an Energy Statement applicable to that dwellinghouse 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 to 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 the Council's Supplementary Planning Guidance on Carbon Neutrality in New Developments.

The development shall not 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 Scottish Planning Policy and the Council's Supplementary Planning Guidance - Carbon Neutrality in New Developments.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 or any order amending, revoking or re-enacting that Order no means of enclosure, other than that shown on the approved plans shall be erected on the site under the terms of Class 3E of Schedule 1 to that Order without an express grant of planning permission from the planning authority.

Reason: In the interests of the character and appearance of the development.

18. Prior to the occupation of any dwelling the existing access track on the western boundary of the site shall be closed off and locked gates installed in accordance with the details shown on the approved plan – Ref: 5295-05F. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 or any order amending, revoking or re-enacting that Order, the existing access shall not subsequently be reopened and no new access, other than that approved under this planning permission, shall be formed, laid out or constructed under the terms of Class 8 of Schedule 1 to that Order without an express grant of planning permission from the planning authority.

Reason: In the interests of road safety.

11.2 That the Committee agree the reason for departing from the Aberdeenshire Local Development Plan 2017.

The proposed development will allow a further area for residential development within Inverurie, providing choice within the market. The delivery of 14 further affordable homes is to be welcomed. The scheme has demonstrated a number of positive layout and design aspects that overcome the recognised limitations of the site. The Planning Service is satisfied that the repositioning of the allocated site will provide an improved layout and access arrangements as well as facilitating a possible second phase of development in due course.

For noting:-

Part 2C (Planning Delegations) states at Section C.2.2 for Major Development, that following consultation with the Chair and Vice-Chair of the determining Committee for applications initially dealt with by the Area Committee, the Head of Planning and Building Standards can refuse planning applications for which Section 75 Agreements are not completed or Developer Obligations are not paid within six months from the date of the Committee at which the application is determined. Local Ward Members shall be notified of any such refusal. Please note that this power may be exercised in respect of the application which is the subject of this report if the application is approved by the Committee.”

Stephen Archer
Director of Infrastructure Services
Author: Matthew Watt (Planner)
Date: 17/05/2018