

Proposed Aberdeen Local Development Plan 2015 Representation Form

Please use this form to make comments on the Proposed Aberdeen Local Development Plan, ensuring that your comments relate to a specific issue, site or policy in either the Proposed Plan, Proposed Supplementary Guidance, Proposed Action Programme or Strategic Environmental Assessment Environmental Report. Please include the relevant paragraph(s) and use a separate form for each issue you wish to raise.

The consultation period runs between Friday 20th March and Monday 1st June 2015. Please ensure all representations are with us by 5pm on Monday 1st June.

Name	Mr <input checked="" type="radio"/> Mrs <input type="radio"/> Miss <input type="radio"/> Ms <input type="radio"/> Ian Livingstone
Organisation	Ryden LLP
On behalf of (if relevant)	Stewart Milne Homes & John Lawrie (Aberdeen) Ltd
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Please tick if you would like to receive all future correspondence by e-mail

What document are you commenting on?	Proposed Plan	<input checked="" type="checkbox"/>	
	Proposed Supplementary Guidance	<input type="checkbox"/>	
	Proposed Action Programme	<input type="checkbox"/>	
	Strategic Environmental Assessment Environmental Report	<input type="checkbox"/>	
Policy/Site/Issue	Promotion of land at 34 - 40 Abbotswell Road for residential development.	Paragraph(s)	

What would you like to say about the issue?

See Paper Apart

What change would you like to see made?

See Paper Apart

Please return the completed form by:

- post to the Local Development Plan Team, Aberdeen City Council, Business Hub 4, Ground Floor North, Marischal College, Broad Street, Aberdeen AB10 1AB; or
- email to ldp@aberdeencity.gov.uk

The representation form can be filled in, saved, e-mailed and/or printed. You must “save as” to ensure the completed form is saved with the changes you have made. If you need more space, please fill out another representation form or send a word document attachment via e-mail with your completed representation form. **Please ensure all representations are with us by 5pm on Monday 1st June.**

Thank you. For more information, please visit www.aberdeencity.gov.uk/aldp2016 or to contact the Local Development Plan Team call 01224 523470.

Data Protection Statement

The comments you make on the Proposed Plan will be used to inform the Local Development Plan process and the Examination into the Local Development Plan by the Scottish Ministers' Reporter. You must provide your name and address for your representation to be considered valid, and this information will be made publicly available. Other personal contact details such as telephone and e-mail will not be made public, although we will share these with the Reporter, who may use them to contact you about the comments you have made. For more information about how Aberdeen City Council maintains the security of your information, and your rights to access information we hold about you, please contact Andrew Brownrigg (Local Development Plan Team Leader) on 01224 523317.

PAPER APART

Stewart Milne Homes & John Lawrie (Aberdeen) Ltd.

Representation to the Proposed Aberdeen Local Development Plan 2016 for the inclusion of land at 34 - 40 Abbotswell Road as an opportunity site for residential development.

Introduction

Stewart Milne Homes and John Lawrie (Aberdeen) Ltd wish to promote lands at 34 - 40 Abbotswell Road, Aberdeen for inclusion in the Aberdeen Local Development Plan 2016 as an opportunity site for residential development. It is contended that the proposed use will remove a 'bad neighbour' land use and replace it with one which is wholly compatible with the site's current surroundings and adjacent properties. The brownfield site, outlined in red on the attached location plan, lies to the west of Abbotswell Road and east of the nearby River Dee, extending to approximately 1.05ha, falling gently towards the river from its entrance at its eastern perimeter. The site's surroundings are of mixed land use, with a variety of residential, office, business and recreational uses lying adjacent and close by, illustrated by Image 1.

Image 1



Current Use & Planning Context

The proposed site is currently occupied by four redundant, obsolete buildings formerly utilised for a combination of business and industrial uses. These have been recently vacated by Saltire Energy Group and HVAC, who used the premises for office, manufacturing and storage purposes.

Both companies have relocated due to the declining condition of existing premises on site and the availability of modern alternatives elsewhere in Aberdeen.

The proposal site lies within the boundary of West Tullos industrial estate, and as such, is zoned within the extant Aberdeen Local Development Plan (LDP) (2012) under Policy BI1 for business and industry use. Current policy states that land developed for such a use should be retained for Class 4 Business, Class 5 General Industrial and Class 6 Storage or Distribution uses, in accordance with the Town & Country Planning (Use Classes) (Scotland) Order 1997. A further policy caveat imposed requires redevelopment of business and industrial areas which lie adjacent to residential land use to be restricted to Class 4 Business, viewed as applicable in this instance. Accompanying text prioritises the retention of such land at strategic locations such as around Aberdeen airport and harbour. This zoning is unchanged within the Proposed Aberdeen LDP 2016.

It is disputed that the site is suitable for continuation of business or industrial usage due to the range of sensitive land uses adjacent to and in close proximity of the site. Residential care home and recreational land uses, such as those bordering the site on three sides, cannot be considered compatible with industrial and manufacturing activity which formerly operated from the premises. The location of an industrial and storage yard involving the loading and movement of heavy goods vehicles is not viable in the context of adjacent residential dwellings, Banks o' Dee Care Home or the modern office premises located immediately north of the site. Noise nuisance from manufacturing activity and vehicular movement would likely be exacerbated by the retention or intensification of such uses on site and sustaining such a use would impinge upon the amenity of residents and the effective operation of a business.

Several nuisance complaints have been received by Aberdeen City Council between 2006 and 2012 citing noise from operational and machinery both during day and night causing disturbances to neighbouring residential and business premises. These are verified within the correspondence attached to this representation (Appendix 1) and are testament to the incompatibility of the site's most recent use. These issues would be negated by identifying the land for residential development which would result in the removal of a 'bad neighbour' use and ensure the regeneration of the site for a use which would be fully compatible with that of mixed use neighbouring properties.

Efficient Reuse of Brownfield Land

The proposed allocation of the site for residential redevelopment is considered a logical alternative to current use as an efficient reuse of brownfield land which is no longer sustainable or desirable. At national, strategic and local development plan levels there exists a presumption

in favour of reuse of brownfield land in preference to greenfield. The redevelopment of the proposal site at Abbotswell Road for residential use fits with this premise.

Furthermore, paragraph 40 of SPP encourages '*... optimising existing resource capabilities, particularly by co-ordinating housing and business development with infrastructure...*' and '*... locating development where investment in growth or improvement would have most benefit for the amenity of local people...*'. It is firmly contended that the amenity and quality of life experienced by local people, residents and businesses located adjacent or in close proximity to the site would be improved by its regeneration as residential use. Existing infrastructure and service provision would be fully utilised as well as that of local transport links. Connectivity to a range of retail services, recreational facilities and large areas of employment reinforce the site's credentials as a residential development.

Constraints & Market Conditions

The existing premises have been subject to a period of marketing by J&E Shepherd, summarised by the report attached to this representation (Appendix 2). This details that interest in the acquisition of the site has emerged solely from the housebuilding industry, attesting to the appropriateness of its redevelopment for residential purposes. The site is subject to a number of physical constraints which limit its suitability for business and industrial use, such as its elongated shape, confined, narrow area which limits vehicular manoeuvrability and a single point of access at Abbotswell Road. The obsolete nature of existing buildings further limits its appeal to potential occupiers, indicative of the site no longer meeting market demand or expectations.

The lack of demand for such premises is verified by recent market data published in Ryden's 75th Property Review of October 2014. This highlights take up of only 895sqm and 1,994sqm of 'refurbished' and 'old' office stock respectively in the 6 months to October 2014. By comparison, take up of 'modern' and 'under construction' premises represents 11,097sqm and 25,460sqm respectively. This is testament of high demand for new and modern office facilities, the supply of which is readily available at a range of strategic and peripheral locations across Aberdeen, seen as a superior alternative to that offered by the current premises.

Current market conditions as a result of the fall in oil price since mid-2014 continue to result in an increased supply of suitable high quality premises becoming available for occupation across Aberdeen, the majority of which are of superior condition to that offered at the proposal site. The loss of 1.05 hectares of employment land is considered minor when considered in the context of the 272 hectares of established employment land supply across Aberdeen as stated by 2014 Employment Land Audit. Furthermore, the site represents just 0.54% of the 196 hectares of employment land allocated by the Proposed Plan, which itself is 21 hectares in excess of that recommended by the SDP.

When considered in this light, the loss would be comfortably compensated for by established land supply and allocated development opportunities. Therefore, a change of circumstance should be recognised at this location and as such this should '*...allow the realisation of new opportunities...*', as promoted by paragraph 93 of SPP. It is therefore contended that an alternative use is appropriate at 34 - 40 Abbotswell Road, with residential development deemed suitable in the context of the site's mixed land use context and compatibility.

Access & Connectivity

The site is located in close proximity to Wellington Road, the main arterial route linking south Aberdeen with the city centre. Bus stops are located within 400m, and a range of local retail, health and educational facilities fall within a 1600m radius, in accordance with distance thresholds specified by PAN 75: Planning for Transport. This encourages forms of sustainable transport, reducing pressure on the local road network. Abbotswell Road provides excellent transport linkages to the surrounding area and is easily accessible by car, bicycle and on foot. The opportunity exists for residential development to integrate with, and provide linkages to, the large area of public open space located immediately to the south west of the proposal site, as well as enhancing connectivity to Duthie Park and the city centre via Great Southern Road. Banks o' Dee Sports Centre lies in close proximity to the site's northern boundary, providing recreational variety and choice to residents.

The proposal site's location relative to established areas of employment land adjacent at West Tullos industrial estate, Aberdeen city centre and beyond, will encourage residents to walk or cycle to work, helping to reduce reliance on the private car. Robert Gordon University campus at Garthdee also lies approximately 2.5km west and can be accessed via West Tullos Road and the Bridge of Dee.

Population Growth

Population growth and the creation of sustainable communities are two key objectives of the SDP, with housing allowances set out to accommodate an increasing number of residents within Aberdeen up to 2035. Such allowances have been derived from 2008 based population projections, which significantly underestimated the city's population, forecasting 212,825 at 2011, with the Census declaring this at 222,793. This indicates a sizeable discrepancy and when combined with the low levels of housing completion rates since 2008, is likely to result in housing shortages in the long term due to insufficient housing land allocated.

SPP encourages the prioritisation of brownfield land for redevelopment in preference to that of greenfield stock. This is reiterated by the SDP, which aims to provide 40% of all new residential development on brownfield land. However, this target is not reflected by the current housing

allocations within the extant and Proposed LDP which designate 21,000 of 31,500 units to be delivered by 2035 on greenfield land, equating to a reduced proportion on brownfield sites. Therefore this valuable brownfield resource should be identified as an opportunity for residential development which is developable in the short term. As such, this will contribute to achieving the objectives laid out by the SDP and SPP, whilst helping to meet a sustained high level of housing demand which currently exists across Aberdeen.

Live Planning Application

A planning application was submitted to Aberdeen City Council on 5 March for the demolition of the current buildings on site and the erection of a 100 unit flatted development, access, landscaping and associated infrastructure at the proposal site. This application is currently pending consideration under reference number P150343. The application proposes the efficient regeneration of a brownfield site, in line with the content of the Strategic Development Plan and Scottish Planning Policy. The site's location is considered suitable for such development due to its connectivity, accessibility to nearby transport links, mixed used surroundings and proximity to areas of employment and education.

A variety of supporting information was submitted alongside the application. A Transport Assessment details the capability of the surrounding road network to accommodate traffic numbers arising from the proposed development. This was prepared with guidance from Aberdeen City Council Roads Department, who have accepted the content of the assessment. Car parking provision on site is lower than Council standards due to the site's location and accessibility to public transport links and pedestrian and cycle network which encourages sustainable modes of travel, helping to reduce the reliance on the private car. A Flood Risk Assessment identifies a strategy which would mitigate any potential flood risk on site from the adjacent burn which partially borders the northern perimeter of the area, without increasing the likelihood of flooding elsewhere. The architectural Design Statement and accompanying drawings illustrate an appropriately scaled 4 block residential development which optimises the site and relates well to the surrounding area. The substantial woodland belt which borders the western perimeter of the site visually conceals the development to a large extent for those travelling on Abbotswell Road.

Pre-Application Consultation

In preparation for the submission of the proposed 'major' development, a number of pre-application activities were carried out in addition to those statutorily required. These included presentations of proposals to both Torry and Kincorth & Leggart Community Councils during December 2014 and January 2015, a presentation to Aberdeen City Council Pre-Application Forum in January 2015 as well as several pre-application meetings with the Case Officer and

representatives from the Council's Road Department. This allowed feedback and comment from Councillors, Community Council members and the general public to be taken into consideration during the preparation of the application, ensuring a refined submission. Feedback was generally of a positive nature, with Councillors receptive to the proposals. Local residents' concerns over road network capacity and education provision in the area have been addressed through the submitted Transport Assessment and Planning Statement which details capacity for pupil numbers arising from the development at both Kirkhill Primary and Kincorth Academy.

Summary & Recommendation

In summary, it is firmly contended that the proposal site represents a prime opportunity for regeneration as a residential development. The existing redundant premises on site are of declining quality, obsolete in nature and no longer meet market expectations, as verified by the report by J&E Shepherd attached to this representation. The retention of the site for industrial and manufacturing purposes is no longer sustainable or compatible within an area of mixed land use. West Tullos is not identified by the Proposed Plan as a 'strategic location', such as Aberdeen airport and harbour, to safeguard the supply of existing business and industrial land. This notwithstanding, sufficient stock of high quality business and industrial stock currently exists and continues to emerge at accessible locations around the city to meet levels of demand, which have been negatively affected by the recent decline in the price of oil. In this context, the loss of a 1.05ha site to a more appropriate land use is considered justifiable.

The inclusion of the brownfield site for residential use in the Aberdeen LDP 2016 would demonstrate the flexibility of the planning system in identifying changing circumstances of land and promoting delivery of a mix of uses compatible with that of its surroundings, in compliance with SPP. Existing infrastructure and utilities will be maximised due to the site's current usage. The site is highly accessible, with frequent First Bus and Stagecoach bus routes serving Wellington Road, which lies within 400m of the site. A range of retail, health and education facilities fall within 1600m, in compliance with the parameters laid out by PAN 75.

A contemporary residential development, such as proposed, will integrate comfortably with surrounding land uses and vastly improve the visual aesthetics of a redundant site which holds the potential to become a blight on the urban landscape if it remains in its current condition. In light of this it is respectfully requested that the site's current business and industry zoning be removed and the proposal site at 34 - 40 Abbotswell Road be included in the Aberdeen Local Development Plan as an opportunity site for residential development.



Ian Livingstone <ian.livingstone@ryden.co.uk>

EIR-15-0090 - Noise Complaints - Abbotswell Road

1 message

Foi Enquiries <FoiEnquiries@aberdeencity.gov.uk>

5 February 2015 at 12:51

To: "ian.livingstone@ryden.co.uk" <ian.livingstone@ryden.co.uk>

Dear Mr Livingstone

Thank you for your clarified information request of 13 January 2015. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

I am currently preparing a planning application for a residential development at the site of 34 - 40 Abbotswell Road, Aberdeen. I have attached a location map of the site for your information. The site now lies vacant but was formerly used for production, manufacturing and storage activities.

I am emailing to enquire as to whether the environmental health department has received any complaints from adjacent land owners or residents whose properties abut the site to the north/north east i.e. residents of neighbouring dwellings, offices or at Banks o' Dee Nursing Home. Any issues are assumed to be noise related in this instance.

Relating to time scales, would it possible to look back over the last 10 years to gauge if any complaints have been lodged relating to the site and its operations?

ACC's records start from 1/6/2006. The following records are held in relation to complaints received from adjacent properties to the north/north east that abut the site 34-40 Abbotswell Road. Record details do not indicate with any certainty if the noise source is related to 34-40 Abbotswell Road.

Address	Date received	Details
Abbotswell Road	29/1/06	Complaint of noise from yard adjacent to property. Firm near by, oil and pipes (doesn't know name) equipment, have been creating noise disturbance through the night and disturbing sleep. E.g reversing alarms and banging noises. In the past the noise was only happening until around 11pm but is now continual throughout the night.
Abbotswell Road	27/07/06	Complaint of noise from yard at rear to property. Noisy pipe

		operations from night and day and noisy fork lift truck work.
Abbotswell Road	29/7/09	Complaint of a drums and music noise between 1.30am and 6am behind property. Source not established.
Abbotswell Road	27/8/12	Complaint of noise from an intruder alarm at Unit D2 Abbotswell Road.

ACC is unable to provide you with information on **noise complaint records prior to 2006** as it is not held by the Council. In order to comply with its obligations under the terms of Regulation 10(4)(a) - Information Not Held - of the EIRs, ACC hereby gives notice that this information is not held by it. ACC is required by Regulation 10(1)(b) of the EIRs to inform you as to why in all the circumstances of the case, the public interest in maintaining this exception outweighs the public interest in disclosing this information to you. ACC is satisfied that it does not hold this information and considers that in all circumstances, the public interest in making the information available is outweighed by the public interest in maintaining 'Information Not Held'.

We hope this helps with your request.

Yours sincerely,

Anna Buchan

Information Compliance Officer

INFORMATION ABOUT THE HANDLING OF YOUR REQUEST

As the information which you requested is environmental information, as defined under Regulation 2(1) of the Environmental Information (Scotland) Regulations 2004 (the EIRs), ACC considered that it was exempt from release through FOISA, and must therefore give you notice that we are refusing your request under Section 39(2) of FOISA (Freedom of Information (Scotland) Act 2002). However, you have a separate right to access the information which you have requested under Regulation 5 of the EIRs, under which ACC has handled your request. Please refer to the attached PDF for more information about your rights under the EIRs.

Access to Information Compliance Team
 Communications and Promotion
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CJG/NM/29244

25th February 2015

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Dear Sir,

38-40 ABBOTSWELL ROAD, ABERDEEN

I refer to your recent query in relation to our experiences in marketing the premises at the abovementioned subjects. I am consequently now writing to you in this regard.

J & E Shepherd have been engaged for a number of years by the current owners of the subject site to market available accommodation.

Demand for the subjects has been limited and effectively only short term leases have been secured despite a full marketing campaign being implemented.

It has been identified the configuration of the existing buildings on the site is an issue. The layout is such that many occupiers consider the site cannot be safely operated due the need of HGV accesses and similar. In view of this it was considered appropriate to examine the potential to redevelop the site for business uses.

A variety of schemes were considered. This included office, industrial and car showroom developments. Retail developments were also considered.

It was identified that office development on the site would not be viable. There are substantial alternative opportunities within the City within better located and more established office locations. Notwithstanding, various enquiries were made with potential occupiers and no interest could be generated.

The site was considered to have potential for industrial uses. However, the shape of the site prevented an effective development of the site as yard areas could not be formed with the scale of buildings which would be necessary in order to render the development as being viable. Further concerns existed that HGV and manufacturing noise could impact on the adjoining care home and residential units which could lead to complaint.

Car showroom uses were also considered. Conversations with a number of operators were undertaken. No interest occurred as a result of these discussions.

We also considered retail uses for the site. The location of the site is such insufficient profile exists to enable a major retailer to be attracted to the site. It was also identified that the site does not have a sufficient destination status to attract occupiers.

OFFICES AT:			
ABERDEEN	01224 202800	EDINBURGH	0131 225 1234
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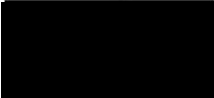
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KIRKCALDY	01592 205442	PETERHEAD	01779 470766
LIVINGSTON	01506 416777	ST ANDREWS	01334 477773
MONTROSE	01674 676768	SALTCOATS	01294 464228
MOTHERWELL	01698 252229	STIRLING	01786 450438

In light of this, I can confirm we have considered the market for the subjects in their current form, and alternatively as a redeveloped site and consider that the market for the subjects for both commercial and retail uses will be very limited due to the issues disclosed. Indeed, the only offers which have been received are for residential development.

I trust you find the foregoing satisfactory and if you have any further queries, then please do not hesitate to contact me.

Yours faithfully



Chris Grinyer, BSc (Hons), MRICS
Per pro J & E Shepherd
Chartered Surveyors

e-mail: c.grinyer@shepherd.co.uk