

## Archibald B (Brian)

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**From:** Archibald B (Brian)  
**Sent:** 09 May 2016 16:32  
**To:** Andrew Brownrigg (ABROWNRI GG@aberdeencity.gov.uk)  
**Cc:** Donna Laing (DLaing@aberdeencity.gov.uk)  
**Subject:** FW: PROPOSED ABERDEEN LOCAL DEVELOPMENT PLAN - FURTHER INFORMATION REQUEST 13 - ISSUE 17 - ALLOCATED SITES: CITY CENTRE AND URBAN - SITE OP97 VICTORIA ROAD PRIMARY SCHOOL

**Attachments:** FIR13 AD01 Committee Report 151260.pdf

### Tracking:

#### Recipient

Andrew Brownrigg  
(ABROWNRI GG@aberdeencity.gov.uk)

Donna Laing (DLaing@aberdeencity.gov.uk)

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██████████

#### Delivery

██████████

Hello Andy

I acknowledge receipt of your response for FIR 13

Thanks

Brian

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**From:** Andrew Brownrigg [<mailto:ABROWNRI GG@aberdeencity.gov.uk>]  
**Sent:** 05 May 2016 15:39  
**To:** Archibald B (Brian)  
**Cc:** Donna Laing  
**Subject:** PROPOSED ABERDEEN LOCAL DEVELOPMENT PLAN - FURTHER INFORMATION REQUEST 13 - ISSUE 17 - ALLOCATED SITES: CITY CENTRE AND URBAN - SITE OP97 VICTORIA ROAD PRIMARY SCHOOL

Hello Brian

Please find our response to Further Information Request 13 in respect of OP97 Victoria Road Primary School. The Council has been requested to provide details of the outcome of planning application 15/1260 at Victoria Road School, and to provide any other factual update regarding the planning status of this site.

### Response

The application is still pending consideration by Aberdeen City Council and will be the subject of a Public Hearing on 18<sup>th</sup> May 2016. A copy of the Committee Report presented to the Planning Development Management Committee 17<sup>th</sup> March 2016 setting out the recommendation to hold a Hearing is attached for information. Following this Hearing, the application will be referred back to the Planning Development Management Committee for consideration.

Regards, Andy

Andrew Brownrigg  
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Communities, Housing and Infrastructure  
Aberdeen City Council

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# Planning Development Management Committee

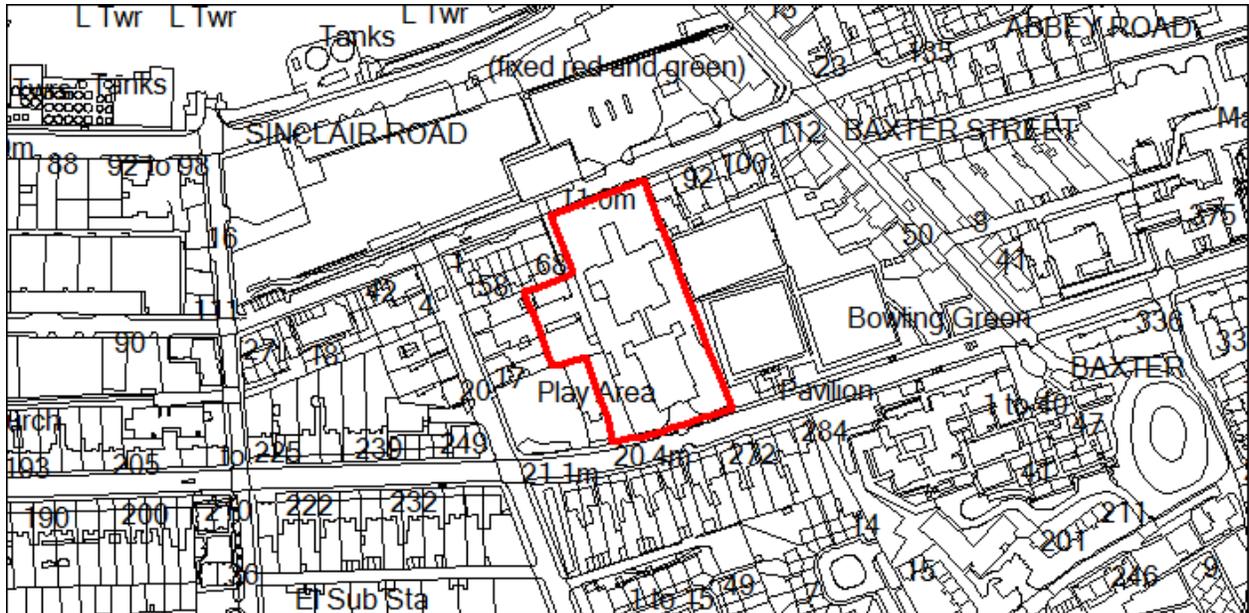
VICTORIA ROAD PRIMARY SCHOOL, TORRY

DEMOLITION OF THE EXISTING VICTORIA ROAD PRIMARY SCHOOL AND ERECTION OF 62 RESIDENTIAL UNITS, ALONG WITH OPEN SPACE, PARKING AND ASSOCIATED INFRASTRUCTURE.

For: Barratt North Scotland

Application Type: Detailed Planning Permission  
Application Ref.: P151260  
Application Date: 03/08/2015  
Officer: Andrew Miller  
Ward: Torry/Ferryhill (Y Allan/A Donnelly/J Kiddie/G Dickson)

Advert: None  
Advertised on: N/A  
Committee Date: 17/03/2016  
Community Council : Comments



## RECOMMENDATION:

Defer for Public Hearing

## **DESCRIPTION**

The site comprises the former Victoria Road Primary School, a granite built school opened in 1873 and extended in 1905. The school is formed of two distinct parts, the original block on the northern part of the site and the more recent extension to the south, linked by a corridor. The site slopes down from the boundary with Victoria Road to the boundary with Abbey Road. The surrounding area is largely residential, though tennis courts and bowling greens bound the site to the east.

## **RELEVANT HISTORY**

P141670 – Proposal of Application Notice (PoAN) for re-development of site for residential development along with open space, parking and associated infrastructure. In responding to the PoAN, the Council requested further consultation be undertaken.

The proposal was presented to the Pre-Application Forum on 26 January 2015, at which The Forum resolved:-

- (i) to express the importance to the applicant of continuing the consultation with local residents;
- (ii) to express the desire of the Forum for the retention and reuse of as much of the existing granite and granite façade as possible; and
- (iii) to note that the proposal was still at an early stage and to agree that the applicant could attend a future meeting to give a further, more detailed presentation if they wished.

Following on from this, the proposal was presented to the Pre-Application Forum on 16 July 2015, at which the forum resolved:

- (i) to express the desire of the Forum that the developer give consideration to the inclusion of a vehicle charging point on site;
- (ii) to suggest that the developer discuss waste management with officers in the Council's recycling team;
- (iii) to request that the developer take into consideration access and egress on to Victoria Road and Abbey Road, particularly in relation to safety concerns around any use of HGVs should the proposal be granted planning permission.

## **PROPOSAL**

Detailed Planning Permission is sought for the demolition of Victoria Road Primary School and the erection of 62 residential units that would be split into the following:

- 23 terraced 3-bedroom houses in the northern half of the site accessed from Abbey Road.

- 39 flats over five 3-storey blocks on the southern half of the site accessed from Victoria Road.

The units would be finished in white dry dash render and grey slate effect roof tiles, though the flats would incorporate new granite into certain aspects of their elevations. The distinct split in the site would involve a difference in levels, with the northern half being elevated above the southern half of the site by approximately 2.3 metres. Both halves of the site would be connected by stairs and a ramp.

The site would incorporate 82 parking spaces (including 2 disabled spaces). The southern half would contain cycle storage and bin stores to serve the flats. 2 car club parking spaces would be provided on Victoria Road.

Within the site, there would be a loss of 6 trees though 9 trees would remain. These trees are subject to a Tree Preservation Order (TPO).

### **Supporting Documents**

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=151260>

On accepting the disclaimer enter the application reference quoted on the first page of this report.

### **PRE-APPLICATION CONSULTATION**

The proposed development was the subject to pre-application consultation in Torry Youth and Leisure Centre on 25 February 2015 between the applicant and the local community, as required for applications falling within the category of major developments as defined in the 'Hierarchy of Development' Regulations.

The consultation was subject to publicity in the local press, as well as public notices being displayed in the surrounding area and notifications sent direct to 103 neighbours.

The event entailed a drop-in exhibition open to the public, with specific invites for a preview before the event sent to Torry Community Council and Torry/Ferryhill Elected Members. Whilst not everyone signed the sign in sheet at the event, it is estimated that 85 members of the public attended.

Two presentations were also given to the Council's Pre-Application Forum as detailed under Relevant History above.

### **REASON FOR REFERRAL TO COMMITTEE**

The application has been referred to the Planning Development Management Committee because it has both been the subject of more than 20 objections, and is a development in which the Council has a financial interest, due to its ownership of the application site. The combination of these factors triggers the requirement for a report to Committee in order to seek a decision on whether or not a public hearing should be held.

## **CONSULTATIONS**

### **Roads Development Management –**

- Transport Statement required.
- Parking in line with standards contained in Supplementary Guidance.
- Internal road layout and junction improvements need to be to ACC standards and will be subject to Roads Construction Consent.

### **Environmental Health –**

- Informative notes relating to construction work/piling provided.

### **Developer Contributions Team –**

- Contributions towards affordable housing, community facilities, sport and recreation, core path network and open space sought.

### **Communities, Housing and Infrastructure (Flooding) –**

- Clarification sought on run off rates of 30 and 200 year rainfall events.

### **Scottish Environment Protection Agency –**

- Object as no SuDS information provided.
- Construction Environment Management Plan required by condition with any grant of consent.

### **Scottish Natural Heritage –**

- Further survey required for bats.

### **Education, Culture and Sport (Educational Provision) –**

- Sufficient capacity within catchment schools (Tullos Primary and Torry Academy/new “South of the City Academy”).

### **Torry Community Council –**

Object to the application on the following basis:

1. The buildings should be retained and restored due to their architectural merit and in line with policy D4 – Aberdeen’s Granite Heritage of the ALDP.
2. Retention of buildings would enhance civic pride in Torry.
3. Marischal College was deemed to be affordable for conversion and this site should be given parity.
4. Local schools are at capacity.

5. Unsustainable for buildings to be demolished.
6. Loss of protected trees.
7. Insufficient parking on site will result in overflow to surrounding streets.
8. 2200 signed a petition against demolition and this was presented to the City Council (NOTE – not as part of this application).
9. Site would be more suited for conversion of existing buildings to low cost homes and/or offices for small business and social enterprises, a community hub or re-used as a school to solve overcrowding in existing local primary schools.
10. Wish for public hearing to be held.

## **REPRESENTATIONS**

266 letters of objection have been received. The objections raised relate to the following matters –

1. Loss of Granite Building
  - 1.1. Further loss of architectural heritage of old and new villages of Torry.
  - 1.2. Loss of traditional granite building.
  - 1.3. Historic significance – link to old Torry fishing boom
  - 1.4. No attempt to re-use granite from original buildings.
  - 1.5. Contrary to policy D4 of ALDP
  - 1.6. Loss of granite building will impact on City's claim of "The Granite City" and will impact on tourism potential.
  - 1.7. Retain building and landscape surrounding area
  - 1.8. Existing building should be renovated to apartments.
2. Design and Siting
  - 2.1. Overlooking of neighbouring gardens.
  - 2.2. Wish for mutual wall height to be retained.
  - 2.3. Buildings are too close to boundary with adjacent properties
  - 2.4. Bland and uninteresting architecture in blocks of flats.
  - 2.5. Design and siting would be contrary to H1 of ALDP
3. Access and Parking
  - 3.1. Additional traffic and impact on road safety
  - 3.2. Install pelican crossing nearer junction with Abbey Place rather than zebra crossing.
  - 3.3. Insufficient car parking provision and overspill to streets
4. Education Provision
  - 4.1. Remaining schools in Torry are overcrowded.
  - 4.2. Loss of a community resource.
  - 4.3. Building should be retained for education use in a deprived area of the city.
5. Pollution
  - 5.1. Site is contaminated from previous oil tanks and asbestos within school building.

- 5.2. Removal of asbestos and impact on surrounding residents.
- 5.3. Crushing of granite would breach current EEC directives relating to recycling of materials.
- 5.4. Impact of construction works on neighbours

## 6. Natural Heritage

- 6.1. Loss of mature trees contrary to ALDP.
- 6.2. Impact on bats

The following matters raised are not material planning considerations and cannot be taken into consideration in the determination of the application:

- Other examples of renovation of granite buildings in Aberdeen (e.g. Causewayend)
- Revisit proposal by Torry Heritage Trust
- Keep building as a school
- Damage to private property
- Fond memories of the school.
- Council has shown total disregard to retention of granite or other buildings that have an architectural impact.
- Suggested alternative uses for the building
- Internal features
- Building should have been used for offices to keep the building secure and lower risk to the asset until a final use was found for the building.
- Survived a bomb attack in WWII.

## **PLANNING POLICY**

### **National Policy and Guidance**

Scottish Planning Policy

Creating Places

Designing Streets

### **Aberdeen City and Shire Structure Plan**

The SDP sets out the following key objectives for the growth of the City and Aberdeenshire:

- Population growth
- Quality of the environment
- Accessibility

### **Aberdeen Local Development Plan**

OP127 – Victoria Road Primary School

Torry Regeneration Area

I1 – Infrastructure Delivery and Developer Contributions

T2 – Managing the Transport Impact of Development  
D1 – Architecture and Placemaking  
D2 – Design and Amenity  
D3 – Sustainable and Active Travel  
D4 – Aberdeen’s Granite Heritage  
H2 – Mixed Use Areas  
H3 – Density  
H5 – Affordable Housing  
CF1 – Existing Community Sites and Facilities  
NE4 – Open Space Provision in New Development  
NE5 – Trees and Woodland  
NE6 – Flooding and Drainage  
NE8 – Natural Heritage  
R7 – Low and Zero Carbon Buildings

### **Supplementary Guidance**

Transport and Accessibility

### **Proposed Aberdeen Local Development Plan**

OP97 – Victoria Road Primary School  
D1 – Quality Placemaking by Design  
D5 – Our Granite Heritage  
I1 – Infrastructure Delivery and Planning Obligations  
T2 – Managing the Transport Impact of Development  
T3 – Sustainable and Active Travel  
H2 – Mixed Use Areas  
H3 – Density  
H5 – Affordable Housing  
CF1 – Existing Community Sites and Facilities  
NE4 – Open Space Provision in New Development  
NE5 – Trees and Woodland  
NE6 – Flooding, Drainage and Water Quality  
NE8 – Natural Heritage  
R6 – Waste Management Requirements for New Development  
R7 – Low and Zero Carbon Buildings, and Water Efficiency  
CI1 – Digital Infrastructure

### **Other Relevant Material Considerations**

“Permitted Development” rights for the demolition of buildings under Class 70 of The Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended).

### **EVALUATION**

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) require that where, in making any determination under the planning

acts, regard is to be had to the provisions of the development plan and that determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

### **Hearing Guidelines**

Under Section 38A (4) of the Planning Act, the planning authority may decide to hold a hearing for any development not covered by the mandatory requirements and to give the applicant and any other person an opportunity of appearing before and being heard by the committee.

In June 2010 the Council agreed guidelines on 'When to hold public hearings in relation to planning applications'. The circumstances in which it is appropriate to hold a public hearing prior to determination of a planning application (where a pre-determination hearing is not a statutory requirement) are: (i) where the application has been the subject of more than 20 objections; and (ii) the Council has a financial interest; and / or (iii) the application is a departure from the development plan.

#### **(i) Level of Representation**

This proposal has attracted a total of 266 objections, exceeding the threshold stated in the first of these criteria.

#### **(ii) Ownership/Financial Interest**

The application site is owned by the Council and it therefore has a direct financial interest in the outcome of the application.

The combination of these two factors alone is sufficient to trigger a requirement for this report, the purpose of which is to establish whether officers consider a public hearing should be held and to make a recommendation to members accordingly. No recommendation is being made at this time in respect of the determination of the application. A later report will be presented to a future committee making such a recommendation.

On whether the proposal represents a departure from the Development Plan – the site is designated as an opportunity site within the ALDP 2012. It's designation OP127 (Victoria Road Primary School, Torry), identifies the site for sensitive residential redevelopment, though the wider zoning within the ALDP is for mixed use, with associated policy H2 requiring developments to take into account the existing uses and character of the surrounding area. The surrounding area is largely residential.

Taking these matters into account, it is concluded that the proposal does not represent a departure from the Development Plan in principle, having had regard to its zoning and the nature of the proposed development, and that detailed assessment of the finer details will establish whether there are any areas of

conflict with policy. For the purposes of this report, the proposal is not considered to represent a departure from the Development Plan.

The Council's established hearing guidelines state that the issues which require to be addressed in determining whether a hearing should be held will include 'whether the development plan policy is up to date and relevant to the matters raised, and whether these matters are material planning considerations.'

In determining the proposals, the main considerations will relate to the following:

- The loss of the granite built school with reference to Policy D4 of the adopted ALDP 2012, which contains criteria relative to the retention of granite buildings.
- The principle of the redevelopment of the site for residential use taking account of the requirements of policy H2 of the ALDP 2012 and relevant designations.
- The layout, design and form of the development, and the provision of open space. Subsequent implications of policies D1 and D2 of the ALDP 2012 and Designing Streets.
- Impact on protect trees (covered by Tree Preservation Order) and the requirements of policy NE5 of the ALDP 2012.
- Access to the site (Public Transport, Pedestrian, Cycles and Cars) and the requirements of policy T2 of the ALDP 2012 and associated Transport and Accessibility Supplementary Guidance.

Taking account of the significant number of representations received, it is considered that the most appropriate manner of addressing these concerns is to convene a hearing at which all parties will have an opportunity to state their views in front of elected members of the Planning Development Management Committee at a future date to be arranged.

## **RECOMMENDATION**

### **Defer for Public Hearing**

## **REASONS FOR RECOMMENDATION**

This application relates to land currently owned by Aberdeen City Council, and has attracted a significant body of public representation, which raises a wide range of material planning considerations, relevant to the planning authority's consideration of the proposal against the Development Plan (Aberdeen Local Development Plan and Aberdeen City and Shire Strategic Development Plan).