

CRAIGIEBUCKLER AND SEAFIELD COMMUNITY COUNCIL

Planning Officer's Report

06 March 2018

Planning Matters

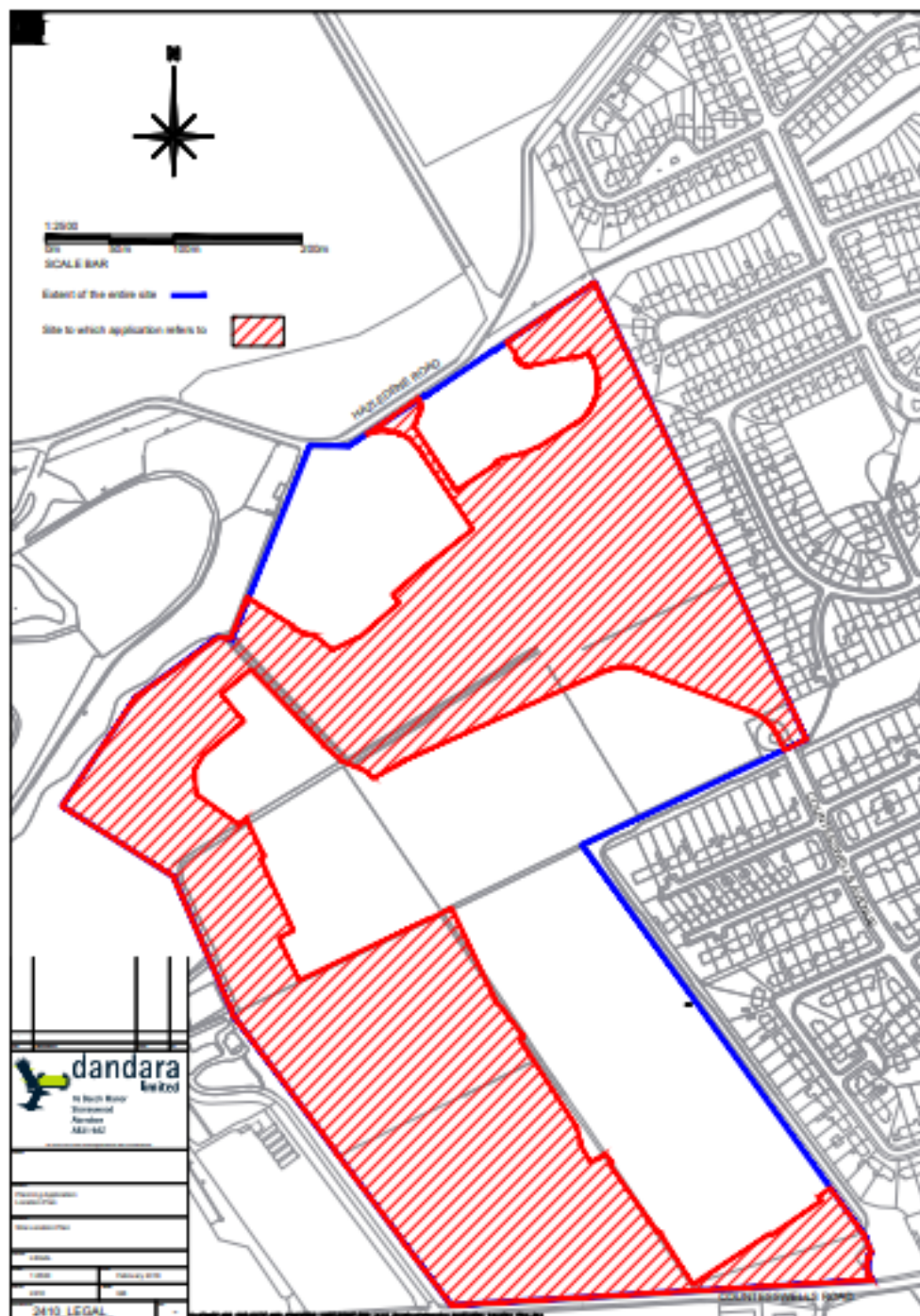
180224/PAN - Major development of approximately 250 residential units including amenity space and associated infrastructure | Zones A-E at Pinewood/Hazledene, Land to North of Countesswells Road Aberdeen.

This Proposal of Application Notice (PAN) concerns the consultation and publicity activities that are to be undertaken in advance of a planning application being lodged no less than 12 weeks later.

Reference	180224/PAN
Application Received	Mon 19 Feb 2018
Application Validated	Mon 19 Feb 2018
Address	Zones A-E At Pinewood/Hazledene, Land To North Of Countesswells Road Aberdeen
Proposal	Major development of approximately 250 residential units including amenity space and associated infrastructure
Status	Awaiting decision
Appeal Status	Unknown
Appeal Decision	Not Available

Application Type	Proposal of Application Notice
Expected Decision Level	Not Available
Case Officer	Gavin Evans
Community Council	Craigiebuckler And Seafield
Ward	Hazlehead/Ashley/Queens Cross
District Reference	Not Available
Applicant Name	Dandara Ltd
Applicant Address	16 Beech Manor Stoneywood Aberdeen AB21 9AZ
Environmental Assessment Requested	No

Application Validated Date	Mon 19 Feb 2018
Expiry Date	Not Available
Determination Deadline	Sun 11 Mar 2018



Proposed Pre Application Consultation

As part of the pre application public consultation for the proposed development of a residential development comprising around 250 homes including amenity space and services at Zones A, B, C, D and E, Pinewood/ Hazledene, Countesswells Road, Aberdeen we propose to undertake the following activity:

- Hold a public event to present our proposals which will come forward as an application for full planning permission. It is proposed that this event will be held on Thursday 15th March 2018 at: Hazelwood Sales Suite, Countesswells Road, Aberdeen. This is considered to be an accessible venue within proximity of the site. The event will run from 3pm until 8pm.
- In line with the pre application consultation process requirements an advert will be placed in the local press (Press and Journal and Evening Express) at least 7 days in advance of the event (See Appendix 1 for draft of the proposed advert).
- A copy of the proposed advertisement is contained as Appendix 1. Direct invites will be delivered to Braeside and Mannofield Community Council and Craigiebuckler and Seafield Community Council, Councillors and Council Officers.
- In addition, it is proposed that posters advertising the event will be distributed within the local area. Plans and other information highlighted for the proposed development will be made available for people attending the event.
- Representatives of Dandara will be on hand to answer any questions on the proposals.
- Feedback forms will be made available at the event and attendees will be encouraged to complete the forms after the meeting and or post/email them back within a specified time scale (no less than 2 weeks). The forms will seek comment on the proposals and feedback will be as analysed and incorporated into pre application consultation report to be submitted with the future planning application. It will be made clear on the feedback form that any comments that are received are not representations to the planning authority and that there will be an opportunity to make representations on any future planning application when it is submitted.

Town and Country Planning (Scotland) Act 1997 (Section 35B)
The Town and Country Planning (Development Management Procedure) (Scotland)
Regulations 2013 (Regulations 4 -7)

**To be completed for all developments within the
national or major categories of development**

Name of Council	Aberdeen City Council
Address	Business Hub 4, Ground Floor North, Marischal Collage
	Broad Street, Aberdeen, AB10 1AB

Proposed development at [Note 1]	Zones A, B, C, D and E at Pinewood/ Hazledene
	(land to north of Counteswells Road)

Description of proposal [Note 2]	Residential development comprising around 250 homes,
	associated infrastructure and amenity space.

Notice is hereby given that an application is being made to

[Note 3] Aberdeen City Council by [Note 4] Dandara

Of [Note 5]

16 Beech Manor, Stoneywood, Aberdeen, AB21 9AZ

In respect of [Note 6] Public exhibition: Hazlewood Sales Suite, Counteswells Road

To take place on [Note 7] 3-8pm 15th March 2018

[Note 8] The following parties have received a copy of this Proposal of Application Notice

Braeside and Mannofield Community Council
Craigiebuckler and Seafeld Community Council

[Note 9] For further details contact Natasha Douglas

on telephone number 01224 713713

And/or at the following address 16 Beech Manor, Stoneywood, Aberdeen, AB21 9AZ

Appendix 1: Advert

The Town and County Planning (Scotland) Act 1997.

The Town and County Planning (Development Management Procedure) (Scotland) Regulations 2008

Notice published under Regulation 7 (2).

Dandara Ltd give notice regarding a proposed development of a residential development comprising around 250 homes including amenity space and services at Zones A, B, C, D and E Pinewood/ Hazledene, Countesswells Road, Aberdeen. Further information on the proposals will be available at a Public Event being held at:

Venue – Hazelwood Sales Suite, Countesswells Road, Aberdeen. Sat nav ref: AB15 8NB.

Date – Thursday 15th March 2018

Time – 3-8pm

All are welcome to attend the event and discuss the proposals with members of the design team.

Any persons wishing to make comments relating to the proposal or wishing to obtain further information may do so by contacting:

Natasha Douglas

Dandara Ltd

16 Beech Manor

Stoneywood

Aberdeen

AB21 9AZ

Tel: 01224 713713

Email: aberdeenconsult@dandara.com

Comments should be submitted by 29th March 2018.

Please note:

Comments made are not representations to the planning authority (Aberdeen City Council). If a planning application is submitted there will be an opportunity to make representations on that application to the planning authority at that time.

To inform local residents 100 flyers have been printed to inform immediate neighbours of the Dandara consultation event.

CRAIGIEBUCKLER AND SEAFIELD COMMUNITY COUNCIL

Web: <http://e-voice.org.uk/craigseacc>

Email: craigseacc@hotmail.co.uk

Facebook: Craigiebuckler & Seafield-Community-Council

Dear Resident,

Dandara Development for 250 Homes - Pinewood/Hazledene Site, Countesswells Road -at Zones A, B, C,D and E

Dandara are holding a public event to present their proposals which will come forward as an application for full planning permission.

This event will be held on **Thursday 15th March 2018** at: Hazelwood Sales Suite, Countesswells Road, Aberdeen.

The event will run from **3pm until 8pm.**

This is an opportunity to see what Dandara are planning and to ask questions and raise any concerns.

Full details can be found on the Aberdeen City Council website:

180224/PAN [Proposal of Application Notice] - Major development of approximately 250 residential units including amenity space and associated infrastructure |Zones A-E at Pinewood/Hazledene, Land To North Of Countesswells Road Aberdeen

Once the full planning application is submitted within 12 weeks Craigiebuckler & Seafield Community Council will be submitting a representation so it is important we get the views of the local community and raise any concerns. Please contact us with your views,

Contact Details

Email: craigseacc@hotmail.co.uk

Or leave a comment on our Facebook page

Contact:

William Sell

Chairperson

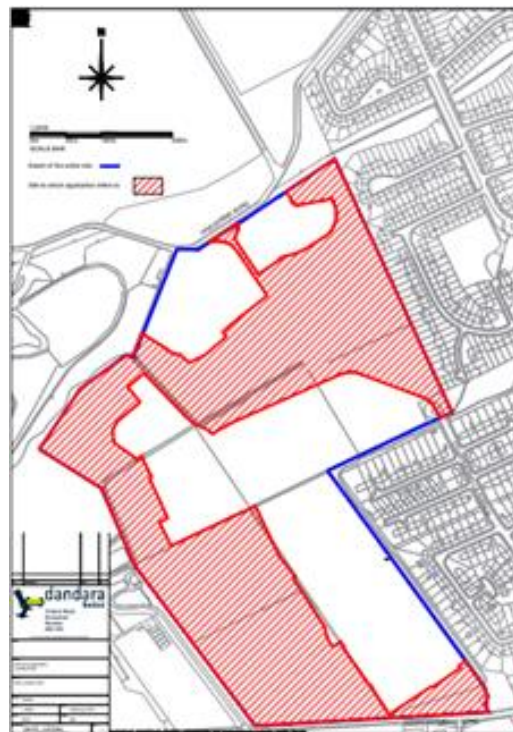
10 Craigiebuckler Drive

Aberdeen

AB15 8ND

Phone: 01224 324581

+Yours sincerely, William Sell, Secretary,
pp Aileen Brown,
Chair

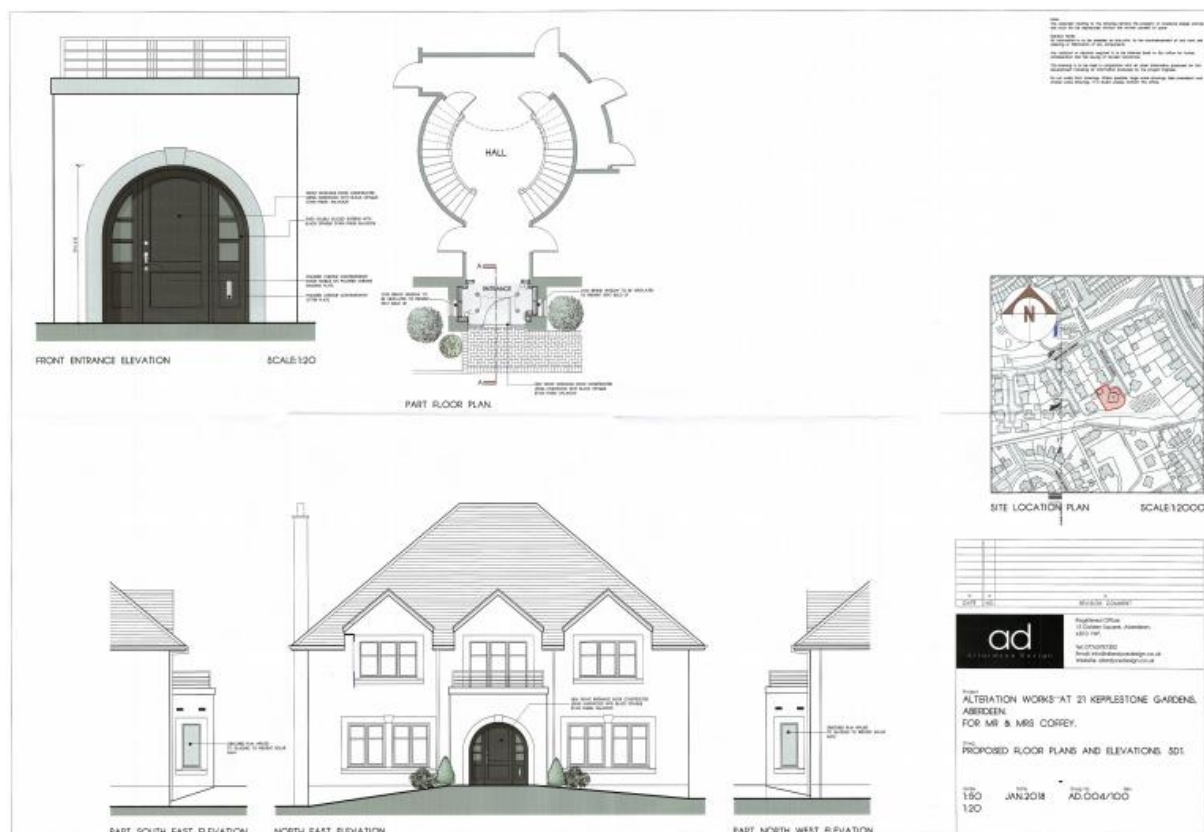



Planning Applications as per weekly planning list February 2018:

Reference	180163/CLP
Application Received	Fri 09 Feb 2018
Application Validated	Fri 09 Feb 2018
Address	21 Kepplestone Gardens Aberdeen AB15 4DH
Proposal	Proposed alteration works to form enclosed front entrance area
Status	Issue Certificate
Decision	Issue Cert. of Lawfulness
Decision Issued Date	Thu 15 Feb 2018

Application Type	Cert. of Lawfulness (Proposed)
Decision	Issue Cert. of Lawfulness
Actual Decision Level	Delegated Decision
Expected Decision Level	Not Available
Case Officer	Roy Brown
Community Council	Craigiebuckler And Seafield
Ward	Hazlehead/Ashley/Queens Cross
District Reference	Not Available
Applicant Name	Mr & Mrs R Coffey
Agent Name	Allardyce Design Ltd
Agent Company Name	Keith Allardyce
Agent Address	15 Golden Square Aberdeen AB10 1WF

Application Validated Date	Fri 09 Feb 2018
Expiry Date	Not Available
Decision Issued Date	Thu 15 Feb 2018
Determination Deadline	Sun 08 Apr 2018



	<h2>Planning and Sustainable Development Service</h2> <h3>Report of Handling</h3>
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Site Address:	21 Kepplestone Gardens, Aberdeen, AB15 4DH,
Application Description:	Proposed alteration works to form enclosed front entrance area
Application Reference:	180163/CLP
Application Type	Cert. of Lawfulness (Proposed)
Application Date:	9 February 2018
Applicant:	Mr and Mrs R Coffey
Ward:	Hazlehead/Ashley/Queens Cross
Community Council	Craigiebuckler And Seafield
Case Officer:	Roy Brown

RECOMMENDATION

Issue Certificate

APPLICATION BACKGROUND

Site Description

The application site relates to a 1 3/4 storey detached dwelling, and its associated curtilage. The dwelling has a northeast facing principal elevation which fronts Kepplestone Gardens and has an original porch entranceway covering the doorway with an arched opening. The application site is not listed and is not located in a conservation area.

Relevant Planning History

None

APPLICATION DESCRIPTION

Description of Proposal

Certificate of Lawful Development (Proposed) is sought to confirm that the alteration to enclose the front entrance area is permitted development, does not require planning permission, and therefore that it would be considered lawful for planning purposes.

Reference	180013/MPO
Application Received	Mon 08 Jan 2018
Application Validated	Mon 08 Jan 2018
Address	Zone A (site Between) Countesswells Road/Hazledene Road Aberdeen
Proposal	Discharge of planning obligation associated with A7/2178 and A8/530 relating to the site of 170525
Status	Awaiting decision
Appeal Status	Unknown

Application Type	Modification/Discharge of Planning Oblig
Expected Decision Level	Not Available
Case Officer	Gavin Evans
Community Council	Craigiebuckler And Seafield
Ward	Hazlehead/Ashley/Queens Cross
District Reference	Not Available
Applicant Name	Hazledene Developments (3) Ltd
Agent Name	Burness Paull
Agent Company Name	Theresa Hunt
Agent Address	Union Plaza 1 Union Wynd Aberdeen AB10 1SL

Application Validated Date	Mon 08 Jan 2018
Expiry Date	Not Available
Determination Deadline	Wed 07 Mar 2018



Application for the Modification or discharge of Planning Obligations

FOR OFFICE USE ONLY

Receipt:

No Fee

The Town and Country Planning (Scotland) Act 1997
The Town and Country Planning
(Modifications and Discharge of Planning Obligations)(Scotland) Regulations 2010

1

Applicant's Details

Title		Forename		Surname	
Company Name	Hazeldene Developments (3) Limited				
Building Number		Building Name			
Address	Dandara Group Head Office, Isle of Man Business Park, Cooil Road, Braddan, Isle of Man, IM2 2SA				
Telephone (inc. STD Code)		Extension			
Mobile		Fax			
Email					

2

Agent's Details

Company Name	Burness Paull LLP	Agent Ref No.	
Forename	Theresa	Surname	Hunt
Building Number		Building Name	Union Plaza
Address	1 Union Wynd, Aberdeen		
		Postcode	AB10 1DQ
Telephone	01224 621621	Extension	8538
		Mobile	
Fax		Email	Theresa.Hunt@burnesspaull.com

RECEIVED

- 8 JAN 2013

3

Application type

Please indicate the type of application:

☐

modification of the planning obligation

☒

discharge of the planning obligation

4

Address or Location of Site

If the site has no postal address, please describe the location of the land and why the obligation is enforceable against the applicant.

Land at Zone A, Pinewood/Hazeldene, Aberdeen. Hazeldene Developments (3) Ltd own the land comprising planning application reference 170525/DPP (Zone A) which is the subject of this request for a discharge of the Section 75 Agreement.

5

Description of the planning obligation

Please provide sufficient details to enable us to identify the Planning Obligation which the applicant wishes to have modified or discharged.

Discharge the existing s75 agreement in respect of site of application reference 170525/DPP (Zone A).

Planning application number(s) that the obligation relates to A7/2178, A8/530, 170525/DPP

Please state the nature of the applicant's interest in the land and why it is enforceable against them.

The Applicant owns all the land comprising the site of application reference 170525/DPP, to which the planning obligation relates.

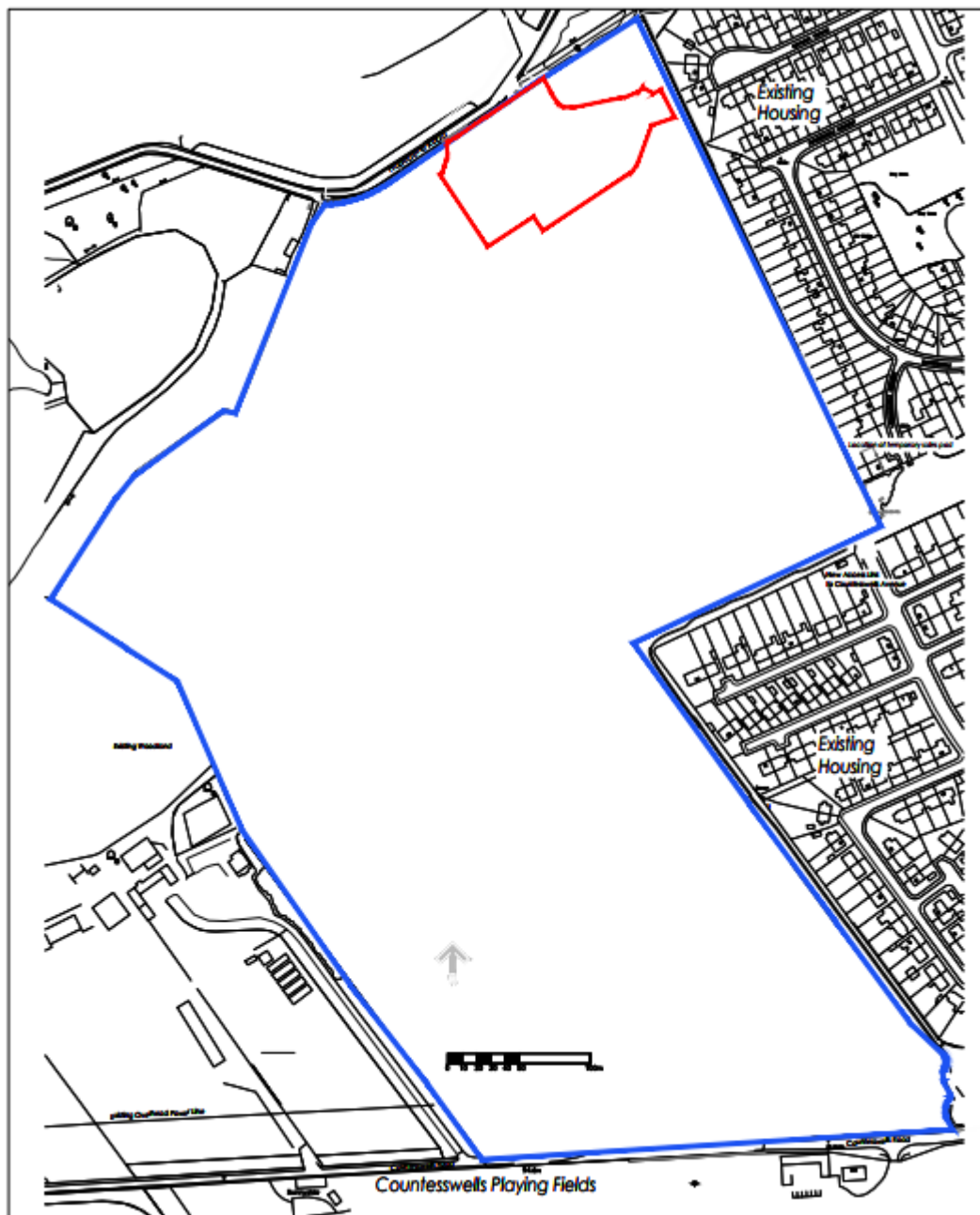
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Application for modification of the planning obligation

If a modification is being applied for, please set out the changes which the applicant wishes to be made to the obligation.

The discharge sought is to remove the site covered by application reference 170525/DPP (Zone A) from the obligations in the Section 75 Agreement. The developer obligations for application reference 170525/DPP have been secured by a Section 69 agreement which has been signed on 29 and 30 November 2017 and registered in the Books of Council and Session on 4 December 2017. The payments due under the Section 69 agreement have been made. The planning permission to which the Section 75 Agreement can no longer be implemented on the Zone A site, and as such it is appropriate to remove the redundant Section 75 Agreement from the title to the Zone A site.

The discharge sought is to remove the site covered by application reference 170525/DPP (Zone A) from the obligations in the Section 75 Agreement. The developer obligations for application reference 170525/DPP have been secured by a Section 69 agreement which has been signed on 29 and 30 November 2017 and registered in the Books of Council and Session on 4 December 2017. The payments due under the Section 69 agreement have been made. The planning permission to which the Section 75 Agreement can no longer be implemented on the Zone A site, and as such it is appropriate to remove the redundant Section 75 Agreement from the title to the Zone A site.



Our Ref: HAZ/3001/00041/EFB/TGGH

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Aberdeen
AB10 1DQ

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www.burnesspaul.com

Aberdeen City Council
Planning and Sustainable Development
Communities Housing and Infrastructure
Business Hub 4
Marischal College
Broad Street
ABERDEEN
AB10 1AB

 Burness Paul

4 January 2018

Dear Sirs

**HAZELDENE DEVELOPMENTS (3) LIMITED
LAND AT PINWOOD/HAZELDENE, ABERDEEN
SECTION 75A APPLICATION FOR DISCHARGE OF SECTION 75 AGREEMENT
AGAINST SITE OF PLANNING APPLICATION REFERENCE 170525/DPP FOR
ERECTION OF A CARE HOME AND 4 RESIDENTIAL DWELLINGS**

We enclose a completed application form for the discharge of planning obligations on behalf of our client, Hazeldene Developments (3) Limited. This Section 75A Application relates to a Section 75 Agreement entered into between Aberdeen City Council, The Governors of Robert Gordon's College and Hazeldene Developments Ltd dated 20, 29 and 30 July 2013 and registered in the General Register of Sasines on 1 August 2013 (*"the Section 75 Agreement"*).

The Section 75A Application enclosed requests a discharge of the Section 75 Agreement in respect of the site of planning application reference 170525/DPP, which was for the erection of a care home and four dwellinghouses at Zone A, Pinewood. A Section 69 agreement has been signed on 29 and 30 November 2017 and registered in the Books of Council and Session on 4 December 2017 which secured the developer obligations arising from the proposed development pursuant to application reference 170525/DPP.

The terms of the existing Section 75 Agreement as they relate to Zone A are no longer able to be implemented as the consent to which the Section 75 Agreement relates has lapsed. No further matters specified in condition applications can be submitted. As such the terms of the Section 75 Agreement are redundant in respect of Zone A. To avoid the retention of a redundant Section 75

Aberdeen Edinburgh Glasgow

Burness Paul LLP is a limited liability partnership registered in Scotland (SC300380).
Registered office: 50 Lothian Road, Festival Square, Edinburgh EH3 9AN
Burness Paul is a registered trademark of Burness Paul LLP
VAT registration number GB 215 2185 32

Lawyers with offices in Aberdeen, Edinburgh and Glasgow.
A list of members is available for inspection at the firm's registered office.



Live: 39723113 v 4

Agreement against the title to Zone A, and in recognition of the Section 69 agreement which has secured the required developer obligations pursuant to planning application reference 17052/DPP, it is requested that the site of application reference 170525/DPP (Zone A) is discharged from the terms of the Section 75 Agreement.

We enclose a copy of the Keeper's acknowledgments for Title Numbers ABN137646 (residential areas, including 4 unit site) and ABN137645 (care home site) disclosing dispositions in favour of our client undergoing registration. We enclose a copy of the dispositions and related plans in favour of our client.

We trust that the location plan drawing number A_APL_150, at a scale of 1:2500 showing the subjects to be discharged outlined in red, which form part of the land bound by the terms of the Section 75 Agreement, is sufficient to meet the requirement of provision of a location plan for the Section 75A Application. A copy of the Section 75 Agreement is also enclosed.

Please let us know if you require any further information. Please do not hesitate to contact our Theresa Hunt in our Aberdeen office.

We look forward to receiving an acknowledgement of the Application in due course and for the determination of the Application to proceed as quickly as possible.

Yours faithfully



for and on behalf of Burness Paul LLP

T: +44 (0)1224 618538
E: theresa.hunt@burnesspaul.com

Enc Application Form for the Discharge of Planning Obligations
Location Plan (1:2500) (drawing number A_APL_150)
Copy Section 75 Agreement
Copy Keeper's acknowledgements for Title Sheets ABN137646 and ABN137645 and related dispositions with plans