

DEVELOPMENT MANAGEMENT SUB COMMITTEE (VISITS)

ABERDEEN, 30 March 2012. Minute of Meeting of the DEVELOPMENT MANAGEMENT SUB COMMITTEE (VISITS). Present:- Councillor Dean, Convener; and Councillors Adam, Boulton, Cormie, Crockett, Farquharson (as substitute for Councillor MacGregor), Milne (substituting for Councillor Yuill for item 5), Penny, Jennifer Stewart (substituting for Councillor Yuill for item 3) and Yuill.

Also in attendance:- Councillors Greig (for item 3) and Laing (for item 8).

The agenda and reports associated with this minute can be found at:-

<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=152&MId=2452&Ver=4>

RUTHRIESTON ROAD - 120107

1. With reference to Article 11 of the minute of meeting of the Development Management Sub Committee of 22 March 2012, the Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-** that the Sub Committee approve the application in respect of planning permission for the demolition of a vacant Council depot building and the erection of a new flatted development (6 units) and associated car parking, subject to the following conditions, and a legal agreement to secure affordable housing and suitable community infrastructure provisions:-

(1) That no development shall take place unless there has been submitted to and approved in writing by the planning authority, a detailed scheme of the shared surface layout proposed for the access lane including street furniture, lighting, materials and hard and soft landscaping for the entire development hereby granted planning permission. None of the units hereby granted planning permission shall be occupied unless the said works have been implemented in accordance the approved scheme; (2) That no development shall take place unless it is carried out in full accordance with a scheme to deal with contamination on the site that has been approved in writing by the planning authority. The scheme shall follow the procedures outlined in Planning Advice Note 33 Development of Contaminated Land and shall be conducted by a suitably qualified person in accordance with best practice as detailed in BS10175 Investigation of Potentially Contaminated Sites - Code of Practice and other best practice guidance and shall include (i) an investigation to determine the nature and extent of contamination; (ii) a site-specific risk assessment; and (iii) a remediation plan to address any significant risks and ensure the site is fit for the use proposed. No building(s) on the development site shall be occupied unless (i) any long term monitoring and reporting that may be required by the approved scheme of contamination or remediation plan or that otherwise has been required in writing by the planning authority is being undertaken; and (ii) a report specifically relating to the building(s) has been submitted and approved in writing by the planning authority that verifies that remedial works to fully address contamination issues related to the building(s) have been carried out, unless the planning authority has given written consent for a variation. The final building on the application site shall not be occupied unless a report has been submitted and

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approved in writing by the planning authority that verifies that completion of the remedial works for the entire application site, unless the planning authority has given written consent for a variation; (3) That no development shall take place unless a scheme of all drainage works designed to meet the requirements of SUDS has been submitted to and approved in writing by the planning authority and thereafter no part of the development shall be occupied unless the drainage has been installed in complete accordance with the said scheme; (4) That no development shall take place unless a scheme detailing the external lighting proposed for the development has been submitted to and approved in writing by the planning authority. Thereafter none of the units hereby approved shall be occupied unless the external lighting has been installed in complete accordance with the said scheme and is operational; (5) That no development shall take place unless details of the zero and low carbon equipment to be incorporated into the development and predicted carbon emissions, using SAP or SBEM calculations, have been approved in writing by the planning authority. Thereafter none of the units hereby approved shall be occupied unless the equipment has been installed in accordance with those approved details and is operational; (6) That no development shall take place unless a scheme detailing the cycle storage provision shown on drawings 101(Rev.E) has been submitted to and approved in writing by the planning authority. Thereafter none of the units hereby approved shall be occupied unless the cycle storage has been installed in complete accordance with the said scheme; (7) That no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of landscaping for the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting; (8) That all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority; (9) That the development hereby approved shall not be occupied unless the car parking area hereby granted planning permission has been constructed, drained, laid out and demarcated in accordance with drawing No. 101(Rev.C) of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of cars ancillary to the development and use thereby granted approval; and (10) That

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none of the units hereby approved shall be occupied unless the refuse stores have been provided in accordance with drawings 101(Rev.E) and 102 of the plans or such other drawing as may subsequently be submitted and approved in writing by the planning authority.

The Sub Committee heard from Councillor Yuill as one of the local members (and as a substantive member of the Sub Committee) with regard to some of the concerns raised by residents in relation to the application.

The Convener moved, seconded by Councillor Boulton:-

That the application be approved in accordance with the recommendations contained within the report, subject to the inclusion of the following further condition:-

(11) That notwithstanding approved drawing 100(Rev.B), no development pursuant to this planning permission shall take place unless a scheme (including samples) of all external finishing materials to the walls of the development hereby approved has been submitted to and approved in writing by the planning authority and thereafter the development shall be carried out in accordance with the details so agreed.

Councillor Yuill moved as an amendment, seconded by Councillor Jaffrey:-

That the application be refused on grounds of pedestrian safety as a consequence of there being no pedestrian footway included in the proposal for the access track leading to the proposed development; and road safety by virtue of the narrowness of the existing access track.

On a division, there voted:- for the motion (7) - the Convener; and Councillors Adam, Boulton, Cormie, Crockett, Farquharson and Penny; for the amendment (2) - Councillors Jaffrey and Yuill.

The Sub Committee resolved:-

that the application be approved in accordance with the terms of the successful motion.

10 NEWLANDS CRESCENT - 120042

2. With reference to Article 17 of the minute of meeting of the Development Management Sub Committee of 22 March 2012, the Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-** that the Sub Committee approve unconditionally the application in respect of planning permission for proposed roof alterations, the installation of a driveway and the erection of a rear extension.

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The Sub Committee heard from Councillor Yuill as one of the local members (and as a substantive member of the Sub Committee) who spoke in support of the application.

The Sub Committee resolved:-

to approve the recommendation.

GRAMPIAN COURT, BEACONSFIELD LANE - 120034

3. With reference to Article 9 of the minute of meeting of the Development Management Sub Committee of 22 March 2012, the Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-** that the Sub Committee approve the application in respect of planning permission for the erection of twelve new build flats and associated car parking on the site of an existing unoccupied hotel/residential accommodation building to be demolished, subject to the following conditions:-

(1) That no development shall take place unless a scheme detailing all external finishing materials to the roof and walls of the development hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed; (2) That the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, drained, laid out and demarcated in accordance with drawing No. L(00)31 I of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of cars ancillary to the development and use thereby granted approval; (3) That the use hereby granted planning permission shall not take place unless provision has been made within the application site for refuse storage and disposal in accordance with a scheme which has been submitted to and approved in writing by the planning authority; (4) That none of the units hereby granted planning permission shall be occupied unless the cycle storage facilities as shown on drawing no. L(00)31 I have been provided; (5) That, except as the planning authority may otherwise agree in writing, no construction or demolition work shall take place (a) outwith the hours of 7.00am to 7.00pm Mondays to Fridays; (b) outwith the hours of 9.00am to 4.00pm Saturdays; or (c) at any time on Sundays, except (on all days) for works inaudible outwith the application site boundary. [For the avoidance of doubt, this would generally allow internal finishing work, but not the use of machinery]; (6) That no development shall take place unless a scheme of all drainage works designed to meet the requirements of SUDS has been submitted to and approved in writing by the planning authority and thereafter no part of the development shall be occupied unless the drainage has been installed in complete accordance with the said scheme; and (7) That prior to the commencement of works on site that a

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detailed Construction Method Statement is agreed with the planning authority in consultation with SEPA which should set out the measures for dealing with soils, earth movements, waste, fuels and surface water run off on site during the construction phase and shall be implemented in full during construction operations on site.

The Sub Committee heard from Councillors Farquharson, Greig and Jennifer Stewart as three of the local members (with Councillors Farquharson and Jennifer Stewart as substitute members of the Sub Committee) with regard to some of the concerns raised by residents in relation to the application.

The Convener moved, seconded by Councillor Jaffrey:-

That the recommendations contained within the report be approved.

Councillor Farquharson moved as an amendment, seconded by Councillor Jennifer Stewart:-

That the application be refused on the grounds (1) that the proposal represented over-development of the site and would have a detrimental impact on the surrounding area; and (2) of pedestrian and road safety by reason of the narrow access lane from Beaconsfield Place which would generate additional traffic on an already busy road and junction.

On a division, there voted:- for the motion (6) - the Convener; and Councillors Adam, Cormie, Crockett, Jaffrey and Penny; for the amendment (3) - Councillors Boulton, Farquharson and Jennifer Stewart.

The Sub Committee resolved:-

that the application be approved in accordance with the terms of the successful motion.

8 CHEYNE ROAD, ABERDEEN - 111876

4. With reference to Article 13 of the minute of meeting of the Development Management Sub Committee of 22 March 2012, the Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-** that the Sub Committee approve unconditionally the application in respect of planning permission for the erection of a one and a half storey extension to a dwellinghouse.

The Convener moved, seconded by Councillor Crockett:-

That the recommendation contained within the report be approved.

Councillor Jaffrey moved as an amendment, seconded by Councillor Boulton:-

That the application be refused on the grounds that the proposed extension represented over-development of the site and would result in an undesirable

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precedent, leading to possible future applications which the Council would find difficult to refuse.

On a division, there voted:- for the motion (4) - the Convener; and Councillors Cormie, Crockett and Penny; for the amendment (3) - Councillors Boulton, Jaffrey and Farquharson; absent from the division (2) - Councillors Adam and Yuill.

The Sub Committee resolved:-

that the application be approved in accordance with the terms of the successful motion.

WATER WHEEL INN, 203 NORTH DEESIDE ROAD, BIELDSIDE - 111606

5. With reference to Article 3 of the minute of meeting of the Development Management Sub Committee of 22 March 2012, the Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-** that the Sub Committee express a willingness to approve the application in respect of planning permission for the erection of fifteen dwellinghouses, and change of use from a hotel and alterations to form five apartments, withholding consent until a legal agreement is secured to deliver planning gain contributions, and subject to the following conditions:-

- (1) That development shall not take place unless there has been submitted and approved in writing by the planning authority, a specialised construction method statement 'Watercourse Protection Plan' containing details of how the watercourse can be accommodated safely within the design plan for the site to avoid damage to the watercourse during earth moving works and how pollution of the watercourse can be prevented. The plan shall be submitted and approved at least two months before works commence on site. Development shall not take place unless the measures have been implemented in full and are fully in place;
- (2) That no development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work which shall include post-excavation and publication work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority;
- (3) That no development pursuant to this planning permission shall take place, nor shall any part of the development hereby approved be occupied, unless there has been submitted to and approved in writing by the planning authority, a detailed scheme of site and plot boundary enclosures for the entire development hereby granted planning permission and that these shall be of a nature that is in keeping with the green belt location of the site. None of the buildings hereby granted planning permission shall be occupied unless the said scheme has been implemented in its entirety;
- (4) That no development shall take place unless there has been submitted to and approved in writing by the planning authority details of the layout of hardsurfaces, including access road, on the site. Such details shall include

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layout and cross sectional drawings to show levels and shall be adequate to support movement of refuse vehicle. The scheme shall be implemented in full accordance with such details, or others subsequently approved; (5) That no development shall take place unless a scheme detailing all external finishing materials to the roof and walls of the development hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed; (6) That the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, drained, laid out and demarcated in accordance with the approved plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of cars ancillary to the development and use thereby granted approval; (7) That no development shall take place unless a scheme of all drainage works designed to meet the requirements of Sustainable Urban Drainage Systems (SUDS) has been submitted to and approved in writing by the planning authority and thereafter no part of the development shall be occupied unless the drainage has been installed in complete accordance with the said scheme; (8) That notwithstanding the provisions of Article 3 and Schedule 1, Parts 1, 2 and 3 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 no extensions, alterations or improvements which materially affect the external appearance of the dwellinghouse, nor any means of enclosure shall be erected or carried out either on, or in the curtilage, of the dwelling houses hereby approved without a further grant of planning permission from the planning authority; (9) That, except as the planning authority may otherwise agree in writing, no construction or demolition work shall take place (a) outwith the hours of 7.00am to 7.00pm Mondays to Fridays; (b) outwith the hours of 9.00am to 4.00pm Saturdays; or (c) at any time on Sundays, except (on all days) for works inaudible outwith the application site boundary. [For the avoidance of doubt, this would generally allow internal finishing work, but not the use of machinery]; (10) That no development shall take place unless it is carried out in full accordance with a scheme to deal with contamination on the site that has been approved in writing by the planning authority. The scheme shall follow the procedures outlined in Planning Advice Note 33 Development of Contaminated Land and shall be conducted by a suitably qualified person in accordance with best practice as detailed in BS10175 Investigation of Potentially Contaminated Sites - Code of Practice and other best practice guidance and shall include (i) an investigation to determine the nature and extent of contamination; (ii) a site-specific risk assessment; and (iii) a remediation plan to address any significant risks and ensure the site is fit for the use proposed. No building(s) on the development site shall be occupied unless (i) any long term monitoring and reporting that may be required by the approved scheme of contamination or remediation plan or that otherwise has been required in writing by the planning

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authority is being undertaken; and (ii) a report specifically relating to the building(s) has been submitted and approved in writing by the planning authority that verifies that remedial works to fully address contamination issues related to the building(s) have been carried out, unless the planning authority has given written consent for a variation. The final building on the application site shall not be occupied unless a report has been submitted and approved in writing by the planning authority that verifies that completion of the remedial works for the entire application site, unless the planning authority has given written consent for a variation; (11) That no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of landscaping for the site, including hard landscaping and the path within the southern area of the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting; (12) That all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority; (13) That no part of the development hereby approved shall be occupied unless a plan and report illustrating appropriate management proposals for the care and maintenance of all trees to be retained and any new areas of planting (to include timing of works and inspections) has been submitted to and approved in writing by the planning authority. The proposals shall be carried out in complete accordance with such plan and report as may be so approved, unless the planning authority has given prior written approval for a variation; (14) That any tree work which appears to become necessary during the implementation of the development shall not be undertaken without the prior written consent of the planning authority; any damage caused to trees growing on the site shall be remedied in accordance with British Standard 3998: 2010 "Recommendations for Tree Work" before the building hereby approved is first occupied; (15) That no materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in the aforementioned scheme of tree protection without the written consent of the planning authority and no fire shall be lit in a position where the flames could extend to within five metres of foliage, branches or trunks; (16) That the building(s) hereby approved shall not be brought into use unless details of the zero and low carbon equipment to be incorporated into the development and predicted carbon emissions, using SAP

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or SBEM calculations, have been approved in writing by the planning authority and unless the equipment has been installed in accordance with those approved details; and (17) That the use hereby granted planning permission shall not take place unless provision has been made within the application site for refuse storage and disposal in accordance with a scheme which has been submitted to and approved in writing by the planning authority.

The Sub Committee heard from Councillor Boulton as one of the local members (and as a substantive member of the Sub Committee) who spoke in support of the application.

The Sub Committee resolved:-

to approve the recommendation.

LAND AT WOODEND, CULTER HOUSE ROAD, PETERCULTER - 111144

6. With reference to Article 21 of the minute of meeting of the Development Management Sub Committee of 22 March 2012, the Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-** that the Sub Committee **refuse** the application in respect of planning permission in principle for a proposed residential development comprising 14 dwellinghouses and associated landscaping and open space, on the following grounds:-

(1) That the proposal, if approved, would undermine the principles of controlling development and preventing sporadic housing in the green belt, leading to the erosion of the character of such areas and adversely affecting the landscape setting of the city contrary to the provisions of Scottish Planning Policy and Policy NE2 'Green Belt' of the Aberdeen Local Development Plan; (2) That the proposal, if approved, would be contrary to Scottish Planning Policy, the Aberdeen City and Shire Structure Plan key objective on accessibility and Policy D3 of the Aberdeen Local Development Plan by reason that the development would be isolated and remote from the settlement of Peterculter, would be inaccessible by public transport and thus would be reliant on the private car; and (3) That the proposal, if approved, would set an undesirable precedent for applications of a similar nature which would result in the proliferation of sporadic housing in the green belt, leading to the erosion of the character of such areas and adversely affecting the landscape setting of the city

The Convener moved, seconded by Councillor Jaffrey:-

That the recommendation contained within the report be approved.

Councillor Boulton moved as an amendment, seconded by Councillor Farquharson:-

That the application for planning permission in principle be approved on the grounds that (1) the location was not excessively remote, with access to a core

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path at the edge of the site leading to Peterculter; and (2) the proposed development would enhance the existing character and amenity of the area and would not adversely affect the landscape setting of the city.

On a division, there voted:- for the motion (3) - the Convener; and Councillors Cormie and Jaffrey; for the amendment (2) - Councillors Boulton and Farquharson; declined to vote (1) - Councillor Crockett; absent from the division (3) - Councillors Adam, Penny and Yuill.

The Sub Committee resolved:-

that the application be refused in accordance with the terms of the successful motion.

WOODEND FARM, PETERCULTER - 111863

7. With reference to Article 22 of the minute of meeting of the Development Management Sub Committee of 22 March 2012, the Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-** that the Sub Committee **refuse** the application in respect of planning permission for a change of use from agricultural land to recreational use (cricket pitch), on the grounds that the proposal, if approved, would be contrary to Scottish Planning Policy, the Aberdeen City and Shire Structure Plan and Policy D3 of the Aberdeen Local Development Plan by reason of its isolated and remote location and its inaccessibility by sustainable means of transport.

Councillor Jaffrey moved, seconded by Councillor Cormie:-

That the recommendation contained within the report be approved.

The Convener moved as an amendment, seconded by Councillor Boulton:-

That the application be approved on the grounds that (1) the proposed recreational use is considered to be acceptable on this green belt site; and (2) although being at an isolated location, the amount of land required for the recreational use proposed reduces the likelihood of sufficient land being available in a less remote or isolated location, thus eliminating inaccessibility by sustainable means of transport.

On a division, there voted:- for the motion (2) - Councillors Cormie and Jaffrey; for the amendment (4) - the Convener; and Councillors Boulton, Crockett and Farquharson; absent from the division (3) - Councillors Adam, Penny and Yuill.

The Sub Committee resolved:-

that the application be approved in accordance with the terms of the successful amendment.

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OAKBANK SCHOOL, MIDSTOCKET ROAD - 120126

8. With reference to Article 18 of the minute of meeting of the Development Management Sub Committee of 22 March 2012, the Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-** that the Sub Committee approve the application in respect of planning permission for the relocation and replacement of an existing substation, subject to the following conditions:-

(1) That no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of landscaping for the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting; (2) That the use hereby authorised shall not take place unless there has been submitted to and approved in writing for the purpose by the planning authority a scheme of landscaping for the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting; (3) That no development shall take place unless a plan showing those trees to be removed and those to be retained and a scheme for the protection of all trees to be retained on the site during construction works has been submitted to, and approved in writing by, the planning authority and any such scheme as may have been approved has been implemented; (4) That any tree work which appears to become necessary during the implementation of the development shall not be undertaken without the prior written consent of the planning authority; any damage caused to trees growing on the site shall be remedied in accordance with British Standard 3998: 2010 "Recommendations for Tree Work" before the building hereby approved is first occupied; and (5) That no materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in the aforementioned scheme of tree protection without the written consent of the planning authority and no fire shall be lit in a position where the flames could extend to within five metres of foliage, branches or trunks.

The Sub Committee heard from Councillor Laing as one of the local members with regard to some of the concerns raised by residents in relation to the application.

The Convener moved, seconded by Councillor Jaffrey:-

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That the recommendations contained within the report be approved.

Councillor Boulton moved as an amendment, seconded by Councillor Farquharson:-

That the application be refused on the grounds that the proposal would have a detrimental impact on the neighbouring properties immediately adjacent to the site by virtue of the visual impact and the potential for additional noise to be generated.

On a division, there voted:- for the motion (3) - the Convener; and Councillors Cormie and Jaffrey; for the amendment (3) - Councillors Boulton, Crockett and Farquharson; absent from the division (3) - Councillors Adam, Penny and Yuill.

There being an equality of votes, in terms of Standing Order 15(5), the Convener exercised her casting vote in favour of the motion.

The Sub Committee resolved:-

that the application be approved in accordance with the terms of the successful motion.

- **KATHARINE DEAN, Convener**.