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To: Councillor Milne, Convener; and Councillors Boulton, Corall, Cormie, Delaney, Finlayson, Grant, Jaffrey, Lawrence, MacGregor, McCaig, Jean Morrison MBE and Thomson.

Town House,
ABERDEEN, 10 April 2013

DEVELOPMENT MANAGEMENT SUB COMMITTEE

The Members of the **DEVELOPMENT MANAGEMENT SUB COMMITTEE** are requested to meet in Committee Room 2 - Town House on **THURSDAY, 18 APRIL 2013 at 10.00 am.**

JANE G. MACEACHRAN
HEAD OF LEGAL AND DEMOCRATIC SERVICES

B U S I N E S S

MINUTES OF PREVIOUS MEETINGS

- 1.1 Minute of Meeting of Development Management Sub Committee of 21 March 2013 (for approval) (Pages 1 - 12)
- 1.2 Minute of Meeting of Development Management Sub Committee (Visits) of 28 March 2013 (for approval) (Pages 13 - 18)

PLANNING APPLICATIONS WHICH ARE THE SUBJECT OF WRITTEN REPORTS (CIRCULATED HEREWITH)

WHERE THE RECOMMENDATION IS ONE OF APPROVAL

- 2.1 Hill of Rubislaw, Rubislaw Quarry, Aberdeen - Proposed office development of 10.840sqm of office accommodation with associated new access roads, car parking and landscaping (Pages 19 - 38)

Reference Number - 121692

- 2.2 Haudagain Retail Park, Unit 3, Great Northern Road, Aberdeen - Extension and alteration to existing drive-thru restaurant, alterations to car park and provision of external customer seating area (Pages 39 - 44)
Reference Number - 121763
- 2.3 145 King Street, Aberdeen - Proposal to form a pavement cafe (Pages 45 - 56)
Reference Number - 121087
- 2.4 The Box, Spey Terrace, Aberdeen - Change of use of amenity ground to a private garden and the building from youth community centre to residential property (Pages 57 - 64)
Reference Number - 130143
- 2.5 10 Stocket Grange, Stockethill Crescent, Aberdeen - Change of use of existing warden's flat to Social Care and Wellbeing Hub (Pages 65 - 70)
Reference Number - 130159
- 2.6 16 Hamewith, Bridge of Don, Aberdeen - Change of use of existing warden's flat to Social Care and Wellbeing Hub (Pages 71 - 74)
Reference Number - 130160
- 2.7 14 Dominies Court, Dominies Road - Change of use of existing warden's flat to Social Care and Wellbeing Hub (Pages 75 - 90)
Reference Number - 130161
- 2.8 33 Janesfield Manor, Garthdee, Aberdeen - Change of use of existing warden's flat to Social Care and Wellbeing Hub (Pages 91 - 94)
Reference Number – 130162

OTHER REPORTS

- 3.1 Planning Digest (Pages 95 - 102)

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Should you require any further information about this agenda, please contact Martyn Orchard on 01224 523097 or email morchard@aberdeencity.gov.uk

DEVELOPMENT MANAGEMENT SUB COMMITTEE

ABERDEEN, 21 March 2013. Minute of Meeting of the DEVELOPMENT MANAGEMENT SUB COMMITTEE. Present:- Councillor Milne, Convener; and Councillors Boulton, Corall, Cormie, Delaney, Finlayson, Grant, Jaffrey, Lawrence, MacGregor, McCaig, Jean Morrison MBE and Thomson.

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

<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=348&MId=2557&Ver=4>

ANNOUNCEMENT

1. The Sub Committee heard from the Convener who advised that item 4.2 on the agenda (Tree Works at Beaconhill Woodland, Milltimber) had been withdrawn by the applicant.

The Sub Committee resolved:-
to note the information.

MINUTE OF MEETING OF THE DEVELOPMENT MANAGEMENT SUB COMMITTEE OF 15 FEBRUARY 2013

2. The Sub Committee had before it the minute of its previous meeting of 15 February 2013.

The Convener referred to Article 2 of the minute and his statement contained therein, and invited Councillor McCaig to confirm that his tweet did not imply that Labour Councillors had colluded prior to determining the application in question. Councillor McCaig responded that he had stated it was a coincidence that all Labour Councillors had voted the same way, which was a statement of fact, however he was not apologising and wished this to be recorded in the minute.

The Sub Committee resolved:-
to approve the minute.

MINUTE OF MEETING OF THE DEVELOPMENT MANAGEMENT SUB COMMITTEE (VISITS) OF 21 FEBRUARY 2013

3. The Sub Committee had before it the minute of meeting of the Development Management Sub Committee (Visits) of 21 February 2013.

The Sub Committee resolved:-
to approve the minute.

PHASE 2, PRIME FOUR BUSINESS PARK - 121759

4. 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 a hotel with associated leisure and conference facilities, and associated infrastructure, subject to the following conditions, but to withhold the issue of the consent document until the applicant has entered into a legal agreement with the Council to secure and pay the necessary Strategic Transport Fund and developer contributions towards environmental and access improvements:-

- (1) 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. A4926/P(--)-03 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 purpose other than the parking of cars ancillary to the development and use thereby granted approval;
- (2) 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 8.00am 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];
- (3) That the hotel shall not be occupied unless the access, junction improvements and external road network mitigation measures associated with Phases 1 and 2 have been implemented and are fully operational;
- (4) That the hotel hereby granted planning permission shall not be occupied unless the improvements to the access into the site located at the north-end of the boulevard have been implemented in accordance with the approved plans as shown on drawing no: A4926/P(--)-03 Rev C;
- (5) That the hotel shall not be occupied unless the approved emergency access (as shown on drawing no: A4926/P(--)-03 Rev C and 93911/1101 Revision A), or such other emergency access as may subsequently be approved in writing by the planning authority, has been provided and is fully operational;
- (6) That the hotel hereby granted planning permission shall not be occupied unless the cycle and motorcycle storage facilities as shown on drawing no. A4926/P(--)-03 Rev C and P(0)601 Rev A (or some other drawing as subsequently approved in writing by the planning authority), have been provided and are available for use;
- (7) That the hotel shall not be occupied unless it has been connected to the full Sustainable Urban Drainage Systems (SUDS) arrangements for the wider business park as described in the Phase 2 Drainage Assessment by Fairhurst dated November 2012 (Issue 1) and the Plot 5 Drainage Assessment by Fairhurst dated November 2012 (Issue 1) (a stamped copy of which is attached to this permission), unless otherwise agreed in writing by the planning authority;
- (8) That the hotel shall not be occupied unless a scheme showing the proposed means of filtering, extracting and dispersing cooking fumes from the premises has been submitted to and approved in writing by the planning authority and that the said scheme has been implemented in full and is ready for operation;
- (9) That the hotel shall not be occupied unless any external duct work comprised in the approved scheme for filtering, extracting and dispersing cooking fumes has been finished in a colour to match the exterior of the premises or treated in

accordance with such other scheme as may be submitted to and approved in writing by the planning authority; (10) That the hotel shall not be occupied unless the bird hazard management proposals contained in the Rentokil report entitled "Working with Halliday Fraser Munro to Maintain a Safe Working Environment", a stamped copy of which is appended to this planning permission, or such other amended report as may subsequently be approved in writing for the purpose by the planning authority, have been implemented and are fully operational; (11) That any lighting schemes required during construction and for the completed development shall be of a flat glass, full cut off design, mounted horizontally and shall ensure that there is no light spill above the horizontal; (12) That the development hereby approved shall not be brought into use until low/zero carbon equipment has been installed in full accordance with the details shown on the approved plans (Rybka Low Carbon Development Statement and LZC Report November 2012 revision 1.0 and Plan no. SK001 revision IN1), or any other such plan as submitted to and approved in writing by the planning authority for the same purpose; (13) That the hotel shall not be occupied unless any mitigation/compensation recommendations and further survey identified in Chapter 7 of the report entitled "Ecological Survey Report - Prime Four Business Park, Kingswells, Aberdeen, Phases 2 and 3", dated 2 May 2012 (version 2.0) by Direct Ecology (a stamped copy of which is attached to this planning permission) which relate directly to this application site, have been implemented and are fully operational, unless otherwise agreed in writing by the planning authority; (14) That unless otherwise agreed in writing by the planning authority, all planting, seeding, turfing and other associated soft and hard landscape works, as well as the footpaths and cyclepaths all as comprised in approved drawing numbers:-

OPEN_498_PL5_H01_SE1 Rev. 01; OPEN_498_PL5_H01_SE2 Rev. 01;
OPEN_498_PL5_H01_SE3 Rev. 01; OPEN_498_PL5_H01_SE4 Rev. 01;
OPEN_498_PL5_S01_SE1 Rev. 01; OPEN_498_PL5_S01_SE2 Rev. 01;
OPEN_498_PL5_S01_SE3 Rev. 01; OPEN_498_PL5_S01_SE4 Rev. 01

or such other drawings as may subsequently be approved in writing for the purpose by the planning authority, shall be carried out in or before 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; (15) That no development pursuant to this planning permission shall commence unless a detailed site specific construction method statement for the site has been submitted to and approved in writing by the planning authority. The method statement must address the temporary measures proposed to deal with surface water run-off during construction and prior to the operation of the final SUDS. Such statement shall be implemented in full for the duration of works on the site; (16) That no development shall take place unless full details are provided of the proposed combined switch room/sub-station. Such plans shall include details of materials, dimensions and any compound screening and shall thereafter be implemented in full accordance with the approved plans; (17) That the hotel shall not be occupied unless details of any CCTV equipment required for any external space within the application site has been submitted to, and approved in writing by the planning authority and thereafter installed; (18) That

all external lighting shall comply with the RYBKA lighting strategy as shown on drawing no. (90)006 Revision IN2, or such other external lighting details as may subsequently be approved in writing for the purpose by the planning authority; and (19) That no development shall take place unless samples of all external finishing materials to the roof and walls (including glazing) 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 Delaney, as one of the local members, indicated that he would like a site visit to be undertaken due to concerns regarding the height of the development and to enable members to view the site boundary and the historic consumption dyke.

The Convener moved as a procedural motion, seconded by Councillor Grant:-
That the Sub Committee determine the application this day.

On a division, there voted:- for the procedural motion (8) - the Convener; and Councillors Boulton, Corall, Cormie, Grant, Lawrence, McCaig and Thomson; against the procedural motion (5) - Councillors Delaney, Finlayson, Jaffrey, MacGregor and Jean Morrison MBE.

The Sub Committee resolved:-

to adopt the procedural motion, and thereby determine the application this day.

The Convener moved, seconded by Councillor Boulton:-

That the application be approved in accordance with the recommendation contained within the report subject to an additional five short-stay cycle spaces being provided at the hotel entrance, to make fifteen spaces, and that these be covered.

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

That the application be refused on the grounds (1) that the proposed development, by reason of scale and massing, represented overdevelopment of the site; (2) that there would be an unacceptable visual impact on the surrounding area; and (3) of the impact of the proposed development on the consumption dyke, which was a scheduled ancient monument and category B listed building.

On a division, there voted:- for the motion (10) - the Convener; and Councillors Boulton, Corall, Cormie, Grant, Lawrence, MacGregor, McCaig, Jean Morrison MBE and Thomson; for the amendment (3) - Councillors Delaney, Finlayson and Jaffrey.

The Sub Committee further resolved:-

to adopt the motion.

In terms of Standing Order 36(3), Councillor Delaney indicated that he wished the foregoing matter to be referred to Council for decision, however he was unable to gain the support of an additional three members.

LAND ADJACENT TO NEWMILL, NORTH DEESIDE ROAD, PETERCULTER - 121357

5. With reference to Article 8 of the minute of its meeting of 15 February 2013, 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 a Section 42 variation of condition 1 of planning consents P110663 and A8/1017 to allow unrestricted occupancy of the property, subject to the following conditions:-

- (1) That the roof of the dwelling house hereby granted planning permission shall be finished in natural slates, details of which shall be submitted to and agreed in writing by the planning authority prior to the commencement of the development;
- and (2) That no development shall take place unless there has submitted to and agreed in writing by the planning authority a scheme detailing the retention of the earth banking along on the frontage of the site with the A93 road.

The Convener moved, seconded by Councillor Corall:-

That the application be approved in accordance with the recommendation contained within the report.

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

That the application be refused on the grounds that it was contrary to the Council's green belt policy and the policy of restricting isolated developments in the countryside unless specifically required in connection with an essential rural occupation.

On a division, there voted:- for the motion (11) - the Convener; and Councillors Corall, Cormie, Delaney, Grant, Jaffrey, Lawrence, MacGregor, McCaig, Jean Morrison MBE and Thomson; for the amendment (2) - Councillors Boulton and Finlayson.

The Sub Committee resolved:-
to adopt the motion.

34-36 ST PETER STREET - 120946

6. 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 demolition of existing buildings and the redevelopment of the site to construct a five storey student accommodation building comprising 125 studio units and associated communal areas and outdoor garden/amenity space, subject to the following conditions but to withhold issue of the consent document until such time as the applicant has entered into an appropriate agreement regarding the payment to the Council of developer contributions towards the extension and/or enhancement of core paths in the locality:-

(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 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; (3) 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. 950-P2-001-B 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; (4) 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; (5) 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; (6) 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]; (7) 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 (a) 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 (b) 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; (8) That no development shall take place unless a scheme for external lighting has been submitted to and approved in writing by the planning authority, and thereafter implemented in full accordance with said scheme; (9) That the premises hereby approved shall not be used other than for the approved purpose as accommodation for students in full-time education, with the exception of any arrangements submitted to and agreed in writing by the planning authority in relation to short-term occupancy outwith normal term-times; (10) That no development shall take place unless there has been submitted to and approved in writing a detailed Green Travel Plan statement, which outlines sustainable measures to deter the use of the private car, in particular single occupant trips and provides detailed monitoring arrangements, modal split targets and associated penalties for not meeting targets; (11) That none of the units hereby granted planning permission shall be occupied unless the cycle storage facilities shown on drawing number 950-P2-030A has been implemented in full accordance with said drawing; and (12) That the building hereby approved shall not be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full.

The Sub Committee resolved:-

to defer consideration of the application meantime to enable members to visit the site. The reasons for visiting the site were the perceived overdevelopment of the site and to allow members the opportunity to assess the impact the proposed development would have on neighbouring properties.

RIVERBANK PRIMARY SCHOOL, DILL ROAD - 130118

7. 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 an extension to the school to provide an additional four classrooms, toilets, gym hall and waiting room, 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 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; (3) 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]; (4) That development shall not take place unless there has been submitted to, and approved in writing by, the planning authority, details of cycle parking in the form of sheltered short stay Sheffield style stands positioned close to the main entrance of the school to be provided for staff and pupils. The development proposal shall not be used unless the cycle parking as so agreed has been provided on site and is available for use, unless otherwise agreed in writing with the planning authority; (5) That development shall not take place unless there has been submitted to, and approved in writing by, the planning authority, details of motorcycle parking to be provided for staff. The development proposal shall not be used unless the motorcycle parking as so agreed has been provided on site and is available for use, unless otherwise agreed in writing with the planning authority; and (6) That development shall not take place unless there has been submitted to, and approved in writing by, the planning authority, a layout plan showing access arrangements for pupils/pedestrians being separated from vehicles. The access arrangements shall be implemented on site in complete accordance with the plans as so approved prior to the extension being brought into use.

The Sub Committee resolved:-
to approve the recommendation.

FERRYHILL MOTIVE POWER DEPOT, POLMUIR AVENUE - 120370

8. 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 a portakabin to be used as a temporary visitor centre at Ferryhill Railway Heritage Centre during major roof repairs, subject to the following condition:-

(1) That the temporary building hereby granted planning permission shall not remain on the site after a period of two and a half years expiring on 20 September 2015.

The Sub Committee resolved:-
to approve the recommendation.

FISHING STATION HOUSE, BURNBANKS VILLAGE, COVE - 120931

9. 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 a two and a half storey extension to the existing dwelling and related external works, subject to the following condition:-

(1) That no development shall take place unless samples of all external finishing materials to the roof and walls of the development hereby approved have 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 Delaney moved as a procedural motion, seconded by Councillor McCaig:-

That a site visit be undertaken to allow members the opportunity to visualise the size of the extension, its design and impact in the context of the surrounding area.

On a division, there voted:- for the procedural motion (11) - the Convener; and Councillors Boulton, Cormie, Delaney, Finlayson, Grant, Jaffrey, Lawrence, McCaig, Jean Morrison MBE and Thomson; against the procedural motion (2) - Councillors Corall and MacGregor.

The Sub Committee resolved:-

to adopt the procedural motion, and therefore defer consideration of the application meantime to enable members to visit the site.

31 HILLVIEW TERRACE, CULTS - 130164

10. 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 single storey extension to the rear of the property, the formation of new dormer windows, the installation of a porch to the front elevation and straightening of the roof hips.

The Sub Committee resolved:-

to approve the recommendation.

OLDMILL ROAD, BON ACCORD CRESCENT - 121633

11. 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 the erection of a mixed use building over six floors consisting of serviced residential apartments and a business unit, on the following grounds:-

(1) That the proposal by virtue of its design, scale and mass would have an adverse impact on the residential amenity of the residents of Springbank Terrace, numbers 22-27, by way of loss of privacy, loss of light, and negative impact on the outlook of the properties on Springbank Terrace contrary to Planning Policy H1 of the Aberdeen Local Development Plan (2012); and (2) That the proposal by virtue of its design and scale would have an unacceptable impact in terms of light pollution which would be detrimental to the amenity of nearby residential properties, and the amenity of the Conservation Area. The application has not fully considered the impact of the light emanating from the building. The proposal is therefore considered contrary to Scottish Planning Policy, Scottish Historic Environment Policy, and Policies D1 and D5 of the Local Development Plan as the illuminated building would have an adverse impact on the wider Conservation Area, both in terms of views within the Conservation Area and views outwith the Conservation Area. Furthermore, the application is considered contrary to planning policies D2 and H1 of the Local Development Plan as light spillage to adjacent residential properties cannot be fully mitigated, which is further exacerbated by the ground levels and height of the proposed building, and therefore would adversely affect residential amenity of the occupiers of 22-27 Springbank Terrace.

The Convener moved as a procedural motion, seconded by Councillor McCaig:-

That a site visit be undertaken to allow members to see the layout of the site and the impact the proposed development would have on neighbouring properties.

On a division, there voted:- for the procedural motion (7) - the Convener; and Councillors Cormie, Delaney, Jaffrey, MacGregor, McCaig and Jean Morrison MBE; against the procedural motion (6) - Councillors Boulton, Corall, Finlayson, Grant, Lawrence and Thomson.

The Sub Committee resolved:-

to adopt the procedural motion, and therefore defer consideration of the application meantime to enable members to visit the site.

93 ASHLEY ROAD - 121783

12. 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 the erection of two self contained flats and associated works, on the following grounds:-

That the proposal fails to comply with Scottish Planning Policy, Scottish Historic Environment Policy, Historic Scotland's Managing Change in the Historic Environment: Boundaries document, and therefore in turn with Policy D5: Built Heritage of the Aberdeen Local Development Plan. The proposal would not preserve or enhance the character and appearance of the Conservation Area. The demolition of the boundary wall does not accord with Policy D4: Aberdeen's Granite Heritage. Further to this, the proposal would not make a positive

contribution to the surrounding area therefore the proposal does not accord with Policy D1: Architecture and Placemaking. The proposal falls short of Policy H1: Residential Areas, and in turn the supplementary guidance on the sub-division and redevelopment of residential curtilages in terms of amenity, pattern of development and density. The proposed off street parking would not accord with the Transport and Accessibility supplementary guidance due to the proximity of the proposed car parking to the traffic controlled road junction and the public safety hazard this poses.

The Sub Committee resolved:-
to approve the recommendation.

GAP SITE, CROMWELL GARDENS - 121571

13. 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 the erection of a detached one and a half storey house, on the following grounds:-

- (1) That the proposed development, by way of the irregular shape of the site and resultant arrangement of amenity space relative to the dwelling, would appear unduly contrived and tightly fit relative to the general pattern of development in the area, contrary to the Council's relevant supplementary guidance 'The Sub-division and Redevelopment of Residential Curtilages';
- (2) That the proposed development, by failing to demonstrate its accordance with the Council's relevant curtilage splitting supplementary guidance, is contrary to policy H1 (Residential Areas) of the Aberdeen Local Development Plan; and
- (3) That the proposed development, by failing to demonstrate due regard for its context and make a positive contribution to its setting, is contrary to policy 1 (Architecture and Placemaking) of the Aberdeen Local Development Plan.

The Sub Committee resolved:-
to approve the recommendation.

PLANNING DIGEST - EPI/13/058

14. The Sub Committee had before it a report by the Head of Planning and Sustainable Development which advised members of the current position with Section 75 financial contributions for affordable housing.

The report recommended:-
that the Sub Committee note the information.

The Sub Committee resolved:-

- (i) to approve the recommendation; and
- (ii) to congratulate officers for paying out all Section 75 monies received to 31 March 2011.

- RAMSAY MILNE, Convener.

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DEVELOPMENT MANAGEMENT SUB COMMITTEE (VISITS)

ABERDEEN, 28 March 2013. Minute of Meeting of the DEVELOPMENT MANAGEMENT SUB COMMITTEE (VISITS). Present:- Councillor Milne, Convener; and Councillors Boulton, Corall, Cormie, Delaney, Finlayson, Grant, Jaffrey, Lawrence, MacGregor, Jean Morrison MBE and Thomson.

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

<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=152&MId=2637&Ver=4>

34-36 ST PETER STREET - 120946

1. With reference to Article 6 of the minute of meeting of the Development Management Sub Committee of 21 March 2013, wherein the Sub Committee agreed to visit the site, 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 demolition of existing buildings and the redevelopment of the site to construct a five storey student accommodation building comprising 125 studio units and associated communal areas and outdoor garden/amenity space, subject to the following conditions but to withhold issue of the consent document until such time as the applicant has entered into an appropriate agreement regarding the payment to the Council of developer contributions towards the extension and/or enhancement of core paths in the locality:-

- (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 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;
- (3) 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. 950-P2-001-B 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;
- (4) 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;
- (5) 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; (6) 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]; (7) 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 (a) 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 (b) 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; (8) That no development shall take place unless a scheme for external lighting has been submitted to and approved in writing by the planning authority, and thereafter implemented in full accordance with said scheme; (9) That the premises hereby approved shall not be used other than for the approved purpose as accommodation for students in full-time education, with the exception of any arrangements submitted to and agreed in writing by the planning authority in relation to short-term occupancy outwith normal term-times; (10) That no development shall take place unless there has been submitted to and approved in writing a detailed Green Travel Plan statement, which outlines sustainable measures to deter the use of the private car, in particular single occupant trips and provides detailed monitoring arrangements, modal split targets and associated penalties for not meeting targets; (11) That none of the units hereby granted planning permission shall be occupied unless the cycle storage facilities shown on drawing number 950-P2-030A has been implemented in full accordance with said drawing; and (12) That the building hereby approved shall not be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and

approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full.

The Sub Committee heard from planning and roads officials in relation to the application, following which members asked various questions of the officers in attendance.

The Convener moved, seconded by Councillor Lawrence:-

That the application be approved in accordance with the recommendation contained within the report.

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

That the application be refused on the grounds (1) that the proposed development, by reason of scale and massing, represented overdevelopment of the site; and (2) that there was insufficient car parking provision which would have an adverse impact on surrounding streets and residential amenity.

On a division, there voted:- for the motion (6) - the Convener; and Councillors Corall, Cormie, Lawrence, MacGregor and Thomson; for the amendment (6) - Councillors Boulton, Delaney, Finlayson, Grant, Jaffrey and Jean Morrison MBE.

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

The Sub Committee resolved:-
to adopt the motion.

In terms of Standing Order 36(3), Councillor Boulton indicated that she wished the foregoing matter to be referred to Council for decision, and was supported by Councillors Delaney, Grant and Jaffrey.

OLDMILL ROAD, BON ACCORD CRESCENT - 121633

2. With reference to Article 11 of the minute of meeting of the Development Management Sub Committee of 21 March 2013, wherein the Sub Committee agreed to visit the site, 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 the erection of a mixed use building over six floors consisting of serviced residential apartments and a business unit, on the following grounds:-

(1) That the proposal by virtue of its design, scale and mass would have an adverse impact on the residential amenity of the residents of Springbank Terrace, numbers 22-27, by way of loss of privacy, loss of light, and negative impact on the outlook of the properties on Springbank Terrace contrary to Planning Policy H1 of the Aberdeen Local Development Plan (2012); and (2) That the proposal by virtue of its design and scale would have an unacceptable impact in terms of light pollution which would be detrimental to the amenity of nearby residential properties, and the amenity of the Conservation Area. The

application has not fully considered the impact of the light emanating from the building. The proposal is therefore considered contrary to Scottish Planning Policy, Scottish Historic Environment Policy, and Policies D1 and D5 of the Local Development Plan as the illuminated building would have an adverse impact on the wider Conservation Area, both in terms of views within the Conservation Area and views outwith the Conservation Area. Furthermore, the application is considered contrary to planning policies D2 and H1 of the Local Development Plan as light spillage to adjacent residential properties cannot be fully mitigated, which is further exacerbated by the ground levels and height of the proposed building, and therefore would adversely affect residential amenity of the occupiers of 22-27 Springbank Terrace.

The Sub Committee heard from planning and roads officials in relation to the application. It was explained that the applicant had recently submitted window samples containing a type of louvre which meant that you could only look horizontally and not up or down - consequently it was the judgement of planning officers that privacy was no longer a valid reason for refusal. Members asked various questions of the officers in attendance.

Councillor Thomson moved, seconded by Councillor Boulton:-

That the application be refused on the grounds identified within the report, and that the design, scale and massing of the proposal was not in keeping within the locality and would have an unacceptable impact on the Conservation Area.

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

That the application be approved subject to conditions to be identified by officers, with particular reference to the not exhaustive list set out within the report, and that Oldmill Road (footpath) be resurfaced and hand railings be provided.

On a division, there voted:- for the motion (8) - Councillors Boulton, Cormie, Delaney, Finlayson, Grant, Jaffrey, Lawrence and Thomson; for the amendment (4) - the Convener; and Councillors Corall, MacGregor and Jean Morrison MBE.

The Sub Committee resolved:-
to adopt the motion.

FISHING STATION HOUSE, BURNBANKS VILLAGE, COVE - 120931

3. With reference to Article 9 of the minute of meeting of the Development Management Sub Committee of 21 March 2013, wherein the Sub Committee agreed to visit the site, 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 a two and a half storey extension to the existing dwelling and related external works, subject to the following condition:-

(1) That no development shall take place unless samples of all external finishing materials to the roof and walls of the development hereby approved have 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.

The Sub Committee heard from the planning official in relation to the application, following which members asked questions of the officer in attendance.

The Convener moved, seconded by Councillor MacGregor:-

That the application be approved in accordance with the recommendation contained within the report.

Councillor Finlayson moved as an amendment:-

That the application be refused on the grounds that the design of the proposed extension was out of keeping with the character of the existing area and would have a detrimental visual impact.

Councillor Finlayson's amendment failed to attract a seconder and therefore was not put to the vote.

The Sub Committee resolved:-

to approve the recommendation.

- RAMSAY MILNE, Convener.

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Agenda Item 2.1

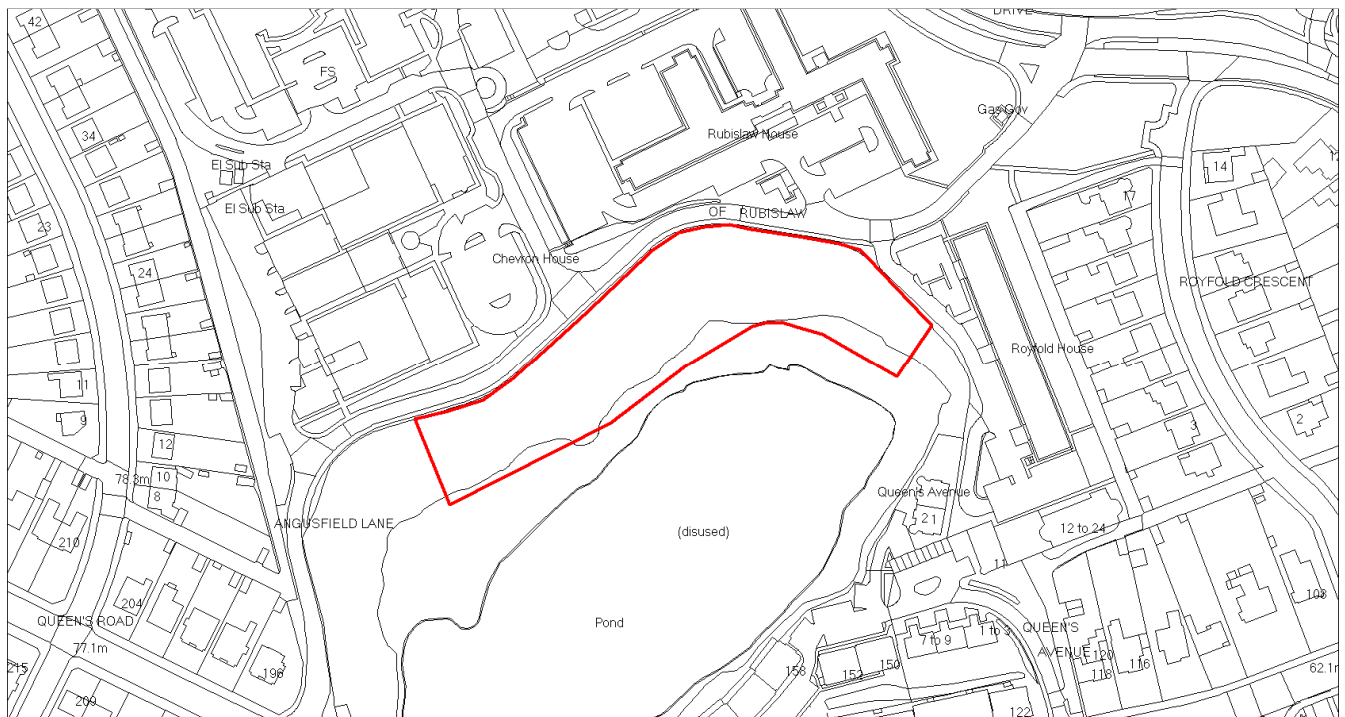
HILL OF RUBISLAW, RUBISLAW QUARRY

PROPOSED OFFICE DEVELOPMENT OF
10,840SQM OF OFFICE ACCOMODATION
WITH ASSOCIATED NEW ACCESS ROADS,
CAR PARKING AND LANDSCAPING

For: Cartera Private Equities Inc.

Application Type : Detailed Planning Permission
Application Ref. : P121692
Application Date: 05/12/2012
Officer: Jennifer Chalmers
Ward : Hazlehead/Ashley/Queen's Cross(M
Greig/J Stewart/R Thomson/J Corall)

Advert : Section 34 -Proj. Pub.
Concern
Advertised on: 19/12/2012
Committee Date: 18 April 2013
Community Council : No response
received



RECOMMENDATION:

Willingness to approve, subject to conditions, but to withhold the issue of consent document until the applicant has made a payment to the Council of developer contributions towards Strategic Transport Fund, Developer Contributions in relation to Core Paths and Combined Footway and Cycleway

DESCRIPTION

The site is situated within the Hill of Rubislaw office campus and comprises the land adjacent to the northern edge of Rubislaw Quarry.

The site measures 0.96 hectares and at its widest point is approximately 42m and approximately 246m metres long. It comprises a narrow plateau area 10-15m wide adjacent to the road that runs through Hill of Rubislaw, after which the ground falls away steeply to the edge of the cliff face. The north boundary of the site is defined by a 2m high security fence and a line of established cypress trees which screen the site from public view. The south boundary of the site follows the top of the cliff face and has been colonised by predominantly scrub. Outwith the boundary of the application site, the remainder of Rubislaw Quarry is designated a Local Nature Conservation Site and is protected by Tree Preservation Order No 134.

RELEVANT HISTORY

Conditional outline planning permission (**97/1300**) was granted in July 1998 for the erection of a six storey office development (8359 sq metres GFA) comprising 3 floors of offices and 3 floors of parking (326spaces).

Conditional outline planning permission (**98/1814**) was granted on 14 March 2001 for the erection of a mixed use development of offices (1935 sq metres) and flats (86) with integral parking for 225 cars. The approved drawings were indicative but define a five-storey building with a feature tower extending to seven storeys at its western extremity, with parking on three lower levels.

Approval of Reserved Matters (**A1/0439**) was granted on 12 July 2001. The approved development was similar in height, design and footprint as the outline consent but had a greater proportion of residential use (107 flats), less office floor space (464 sq metres) and less car parking (162 spaces). The proposed building would be 5 storeys in height above street level and 6 storeys high plus two subterranean floors facing south over the quarry. The building would be terminated at either end with contrasting towers, one circular at the east extremity and on 9 storey rectangular tower at the west.

Planning permission **A5/0742** was granted on 29 September 2005 to extend the time limit on the existing Outline Planning Permission from 16 March 2006 to 16 March 2009.

Planning permission **A5/0743** was granted on 29 September 2005 to extend the time limit on the existing Reserved Matters permission from 16 March 2006 to 16 March 2009.

Applications **A5/1198** and **A5/1199** to remove conditions (restricting construction works during the breeding season of peregrine falcons and preventing blasting on site) from the Outline Planning Permission and the Reserved Matters approval respectively were refused on 29 September 2005.

Application **A6/0478** was approved at planning committee on 24 August 2006 to 'Propose amendment to existing planning approval to form 9 no additional flats

and café-bar/restaurant, plus associated car parking and landscaping works'. Work involving the construction of a footpath linkage has been carried out. These works were sufficient to constitute commencement of development and therefore the permission remains in perpetuity.

PROPOSAL

Detailed planning permission is sought to create a proposed office development of 10,840sqm with associated new access roads, car parking and landscaping.

The overall development would measure approximately 246m in length, be approximately 42m deep creating a narrow, sinuous plan and at its highest be 23m above the pavement level on the north side of the site. The net lettable office space would be approximately 9452sqm with 358 internal car parking spaces available on 3 levels below the offices which would be accessed directly from the Hill of Rubislaw.

It is proposed to form a contiguous piled wall along the boundary line after which the initial 6-7m of spoil would be excavated to allow for the provision of underground parking. The office building would be supported above the car park levels on columns allowing a visual disconnection between the two uses. The scale of the building echoes the previous planning application in that it is within the previous footprint and of a similar height to the lower part of that proposed.

The proposed building would be clad in light grey aluminium curtain walling with clear glazing to maximise the views across the quarry. On the south elevation the glazing would provide a delicate crystalline façade to the sweeping curve of the building which both reflects and is reflected by the water below. On the northern elevation the horizontality of the glazed façade would be broken by smooth rendered vertical service zones. Silver grey granite surfaces would be used in and around the entrance and reception to reflect the previous use of the Quarry.

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?121692>

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

- Pre-Application Consultation Report
- Tree Survey
- Peregrine Falcon Survey
- Transport Assessment
- Drainage Assessment

PRE-APPLICATION CONSULTATION

The proposed development was the subject to pre-application consultation on 8 November 2012 between the applicant and the local community, as required for applications falling within the category of major developments defined in the

'Hierarchy of Development' Regulations. The consultation involved a Powerpoint presentation to local councillors and members of the Community Council. Members of the public were invited to a public display of the proposals on the same day. The public event consisted of display boards with drawings and images of the proposals. Members of the Project Team of Consultants were on hand to answer any queries from the public and note their comments.

Comments were received from 6 members of the public which related to the appearance and scale of the proposal, employment and vehicular traffic movement. There were no adverse comments in relation to the appearance and scale of the proposed building and there were several positive comments made about the increased employment opportunity being brought to the City. No written comments were received on vehicular traffic movement but there were some verbal concerns raised about increased demand for car parking in the immediate area and the tendency for cars to park illegally at present.

In conclusion there were no comments which would suggest a change to the physical appearance or scale of the proposed development; therefore no changes have been made to the proposal submitted as part of the planning application. The traffic issues have been addressed in the Transport Assessment and are considered in the evaluation below.

REASON FOR REFERRAL TO SUB-COMMITTEE

The application has been referred to the Sub-committee because the proposal was advertised as a Project of Public Concern. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – The Roads Engineer has no objection to the planning application, subject to the inclusion of the planning conditions mentioned below.

Drainage –

- The engineer is satisfied that the proposals are sufficient and that there will be no impact on the local road network. Surface water will drain into Rubislaw Quarry, which is accepted as a SUDS treatment.
- The foul water drainage proposals and surface water drainage should be as that shown in Fairhurst drawings.

External Access –

- A transport assessment in support of the application has been submitted and has been accepted.
- The applicant has agreed to finance the conversion of the existing footway to the north side of Queens Road between Kings Gate and Hill of Rubislaw to a combined foot and cycleway as this will improve cycle accessibility to the development site and encourage a more sustainable mode of transport.
- The applicant has also agreed to upgrade four bus stops (2 each on Queens Road and Anderson Drive) to a minimum standard of a shelter, raised kerbs, lighting and seating.

- A detailed junction analysis of the impact of the development on the surrounding road network has been undertaken. The need to upgrade the traffic signals at the Queens Road / Hill of Rubislaw junction has been identified, and the applicant has agreed to this.
- The trunk road authority has indicated that it accepts the additional traffic with no mitigative work necessary.

Sustainable Transport Fund – A contribution is required

Parking – In total the development will provide 358 car parking spaces, 1 drop off car space, 36 long stay cycle parking spaces, 12 short stay cycle parking spaces, 12 staff motorcycle parking spaces and 4 visitor motorcycle parking spaces. There will also be provision for lockers, showers and changing facilities for cyclists. The engineer is satisfied with all the above parking proposals.

Servicing – The proposals to install a service bay at the front of the building and collection of refuse, both of which will be accessed from Hill of Rubislaw have been accepted.

Environmental Health - No objection, however would ask that due to granite releasing Radon Gas, that this be taken into consideration during the design / construction of any buildings to mitigate any potential health concerns.

Community Council - No observations received

Police Scotland – Would request a condition be attached whereby the applicant must liaise with Grampian Police Architectural Liaison Officer and take appropriate steps to negate any issues or concerns they raise. Would also urge the applicant to consider attaining a Secured by Design award.

Scottish Natural Heritage – Content that Aberdeen City Council identifies any natural heritage impacts and addresses these without reference to SNH.

Transport Scotland – The Director advises that a condition relating to submission of a Travel Plan be attached to any permission the council may give. The advice provided by Transport Scotland is on the understanding that the impact of the proposed development on the A90(T) Anderson Drive will be offset through an appropriate developer contribution to the Aberdeen City Council Strategic Transport Fund (STF). If a developer contribution is not made to the STF, Transport Scotland may require to reconsider this planning application.

Scottish Environment Protection Agency – No objection provided conditions are attached relating to an Environmental Management Plan and Waste Management Proposals.

Education, Culture & Sport (Archaeology) – Request condition be attached to secure the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority.

Developer Contributions Team – Core Paths Contributions have been requested

Scottish Water – No objection but due to size of proposed development there is a requirement to submit a fully completed Development Impact Assessment form.

Aberdeen International Airport – No objection subject to conditions in relation height of building, a landscaping plan and a bird hazard management plan which includes the construction phase.

North East Raptor Group – No observations received

REPRESENTATIONS

Two letters of representation have been received, one letter of objection from an adjacent business and one letter of support.

The letter of objection relates to the following issues:

- The local road network already operates at capacity
- The scale, form and massing of the proposed development appears over dominant on the site
- The maximum statutory parking limit for offices is inadequate and additional development of this nature within the Hill of Rubislaw will result in increased ‘fly-parking’ on surrounding streets
- There will be increased congestion and inconvenience during construction. No method statement submitted to show how pedestrians will be protected during construction.

The letter of support states that the development would provide an admirable and much-needed addition to the office portfolio in Aberdeen.

PLANNING POLICY

National Policy and Guidance

Scottish Planning Policy

Economic development should be taken into account by planning authorities when determining planning applications. Authorities should respond to diverse needs and locational requirements of different sectors and sizes of businesses and take a flexible approach to ensure that changing circumstances can be accommodated and new economic opportunities realised.

The planning system should support economic development in all areas by:

- Taking account of the economic benefits of proposed development in development plans and development management decisions,
- Promoting development in sustainable locations, particularly in terms of accessibility,
- Promoting regeneration and the full and appropriate use of land, buildings and infrastructure,
- Supporting development which will provide new employment opportunities and enhance local competitiveness, and
- Promoting the integration of employment generation opportunities with supporting infrastructure and housing development.

High environmental quality can be an important component in attracting investment into an area and can provide important economic opportunities, for example through tourism and recreation. Planning authorities should therefore ensure that new development safeguards and enhances an area's environmental quality and, where relevant, should promote and support opportunities for environmental enhancement and regeneration. Previously developed land is a potential source of sites for new development and planning authorities should support and promote proposals to bring vacant or derelict land back into productive use for development or to create more attractive environments.

Aberdeen City and Shire Structure Plan

One of the Plan's core objectives is to provide an opportunity to encourage economic development and to create new employment in a range of areas that are both appropriate for and attractive to the needs of different industries, while at the same time improving the essential strategic infrastructure necessary to allow the economy to grow over the long term.

Aberdeen Local Development Plan

Policy H1 (Residential Areas) – Within existing residential areas, proposals for non-residential uses will be refused unless:

1. they are considered complementary to residential use; or
2. it can be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity.

Policy D1 (Architecture and Placemaking) – to ensure high standards of design, new development must be designed with due consideration for its context and make a positive contribution to its setting. Factors such as siting, scale, massing, colour, materials, orientation, details, the proportions of building elements, together with the spaces around buildings, including streets, squares, open space, landscaping and boundary treatments, will be considered in assessing that contribution.

Policy D3 (Sustainable and Active Travel) – New development will be designed in order to minimise travel by private car, improve access to services and promote access to services and promote healthy lifestyles by encouraging active travel. Development will maintain and enhance permeability, ensuring that opportunities for sustainable and active travel are both protected and improved. Access to, and movement within and between, new and existing developments will prioritise transport modes in the following order – walking, cycling, public transport, car and other motorised vehicles.

Policy R7 (Low and Zero Carbon Buildings) – all new buildings, in meeting building regulations energy requirements, must install low and zero-carbon generating technology to reduce the predicted carbon dioxide emissions by at least 30% below 2007 building standards. This percentage requirement will be increased as specified in Supplementary Guidance.

Policy NE1 (Green Space Network) – The City Council will protect, promote and enhance the wildlife, recreational, landscape and access value of the Green Space Network. Proposals for development that are likely to destroy or erode the character or function of the Green Space Network will not be permitted.

Policy NE5 (Trees and Woodlands) – there is a presumption against all activities and development that will result in the loss of or damage to established trees and woodlands that contribute significantly to nature conservation, landscape character or local amenity, including ancient and semi-natural woodland which is irreplaceable.

Policy NE6 (Flooding and Drainage) – development will not be permitted if:

1. it would increase the risk of flooding:-
 - a) by reducing the ability of the functional flood plain to store and convey water;
 - b) through the discharge of additional surface water; or
 - c) by harming flood defences
2. it would be at risk itself from flooding;
3. adequate provision is not made for access to waterbodies for maintenance; or
4. it would result in the construction of new or strengthened flood defences that would have a significantly damaging effect on the natural heritage interest within or adjacent to a watercourse.

Policy NE8 (Natural Heritage) – Development that, taking into account any proposed mitigation measures, has an adverse effect on a protected species or an area designated because of its natural heritage value will only be permitted where it satisfies the relevant criteria in Scottish Planning Policy. These are International Designations, National Designations, Local Designations and European Protected Species and Species protected under the Wildlife and Countryside Act 1981.

Policy D6 (Landscape) – Development will not be acceptable unless it avoids:

1. significantly adversely affecting landscape character and elements which contribute to, or provide, a distinct 'sense of place' which point to being either in or around Aberdeen or a particular part of it;
2. disturbance, loss or damage to important recreation, wildlife or woodland resources or to the physical links between them;
3. sprawling onto important or necessary green spaces or buffers between places or communities with individual identities, and those which can provide opportunities for countryside activities.

Development should avoid significant adverse impacts upon existing landscape elements, including linear and boundary features or other components, which contribute to local amenity, and provide opportunities for conserving, restoring or enhancing them.

Policy I1 (Infrastructure Delivery and Developer Contributions) – development must be accompanied by the infrastructure, services and facilities required to support new or expanded communities and the scale and type of developments proposed. Where development either individually or cumulatively will place additional demands on community facilities or infrastructure that would necessitate new facilities or exacerbate deficiencies in existing provision, the Council will require the developer to meet or contribute to the cost of providing or improving such infrastructure or facilities.

Policy T2 (Managing the Transport Impact of Development) – new developments will need to demonstrate that sufficient measures have been taken to minimise the traffic generated.

Transport Assessments and Travel Plans will be required for developments which exceed the thresholds set out in the Transport and Accessibility Supplementary Guidance. Planning conditions and / or legal agreements may be imposed to bind the targets set out in the Travel Plan and set the arrangements for monitoring, enforcement and review.

Maximum car parking standards are set out in Supplementary Guidance on Transport and Accessibility and detail the standards that different types of development should provide.

EVALUATION

Tesco Stores Ltd has submitted an appeal to the Supreme Court against the decision of the Inner House of the Court of Session to refuse its application to quash the Aberdeen Local Development Plan. Tesco has been unsuccessful regarding both an interim suspension and a full appeal in front of three judges in the Inner House and the Council has received robust advice from Counsel that the reasoning of the Inner House is sound and there are strong grounds to resist the appeal.

Planning applications continue to be determined in line with the Aberdeen Local Development Plan but the appeal is a material consideration and the Council has to take into account the basis for the legal challenge when determining applications. It should also be pointed out that the Court indicated that, even if Tesco's arguments had found favour, it would have been inclined to quash the plan only in so far as it related to Issue 64 (Allocated Sites: Woodend... Summerhill... etc.) and that it would be disproportionate to quash the whole plan.

This evaluation has had regard to and taken into account the legal challenge. None of the policies or material considerations which apply to this application would be affected by the terms of Tesco's challenge. The recommendation would be the same if the application were to be considered in terms of the 2008 Aberdeen Local Plan.

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.

Economic Development

Scottish Planning Policy states that economic development should be taken into account when determining planning applications. The site is recognised as having been a granite quarry which provided employment and economic development to the area. Over the years a number of companies have

established premises on land to the north of the quarry, making use of the redundant site and generating economic development within the immediate and wider area.

There is no doubt that the development would contribute to the overall economy of the City, by providing high quality office accommodation in a reasonably central location. The Hill of Rubislaw development is recognised as an area having high environmental quality and it clearly attracts investment into the area which is evidenced through the existing business base within the wider site. Although the likely number of new jobs generated by the development has not been specified, the proposal would at the very least help to keep jobs within Aberdeen. Many major businesses have relocated out of Aberdeen in recent years to places such as Westhill. Such an outflow of jobs from Aberdeen is not in the best interests of the City or its economy. There is undoubtedly a strong argument to support new office and business development within the City in order to create and retain jobs in Aberdeen and to help stem the outflow of existing businesses to other locations. It could potentially attract inward investment and jobs.

It is therefore considered that the application complies with the core principles contained in the Scottish Planning Policy and the Aberdeen City and Shire Structure Plan, by encouraging further economic development in the City.

Principle of Development

The principle of a large development on this site has already been established through the approval in 2001 of a mixed use development of offices (1935 sq metres) and flats (86) with integral parking for 225 cars, with a proposed gross floor area of 9000sqm. A limited amount of work on that proposal was started but not continued. This involved carrying out works to footpath links. These works were considered to be sufficient to constitute a commencement of the development and as a result, the planning permission remains valid indefinitely.

Design, Scale and Massing of Development

The proposed shape of the building has been dictated by the shape of the quarry, creating a building that is an elongated curve sitting on the edge of the quarry. The simplicity of the contemporary design, the curved elevations and the quality of the external finishes result in a building of a high standard of design.

In terms of the height of the building the proposed structure would be 5 storeys high from pavement level on Hill of Rubislaw with the main section of the building being approximately 3m higher than the originally approved application, creating a height of 23m from pavement level. This is commensurate with other buildings at Hill of Rubislaw and appropriate for this location. The proposed building would be at its closest point approximately 23m from Rubislaw House which is a 4 storey building and 22m from Chevron House which is a 3 storey building. Seafield House, which is 5 storeys high with roof plant on top, is directly behind Chevron House with a distance of 22m between the two buildings. In terms of size and scale, the proposed building would be in keeping with other nearby buildings as well as there being a similar distance between the proposed building and its nearest neighbours to that existing elsewhere at Hill of Rubislaw.

The proposed development would occupy much of the application site and would be set back approximately 3m from the edge of the road running through Hill of Rubislaw. This would give the impression from this angle of a dominant building but which in the wider context of the site would be compatible with its surroundings.

It is therefore considered that the proposal accords with Policy D1 of the Aberdeen Local Development Plan in terms of the design, siting, scale and massing.

Impact on Wider Area

The building is within an area zoned for residential use but is accessed through and surrounded to the north and east, by the offices at Hill of Rubislaw which is characterised by a mix of 2, 3, 4 and 5 storey office buildings. In that context the proposed building is not considered excessive in relation to the surrounding buildings. The proposed use would also be in keeping with the adjacent office developments.

There are residential properties to the south of the application site on the opposite side of the quarry with the nearest residential property being approximately 40m distant. At this distance it is not considered that there would be any overlooking issues and given the application site is north of the residential properties it is not considered that there would be any adverse impact on daylight or sunlight to these properties.

The site would not be readily visible from Queens Road, which is one of the main approaches into the City, as there is screening to the south west created by the elevated rim of the quarry with mature trees, as well as a mix of 3 and 4 storey buildings and mature trees to the south. There would be no direct impacts on the residential properties to the west in Angusfield Avenue, which are some 70 metres from the site.

There is no conflict with Policy H1 of the Aberdeen Local Development Plan due to the distance and location of the proposed building in relation to the existing residential properties.

In terms of Policy D6 of the Aberdeen Local Development Plan the application site reflects the 'sense of place' created by existing commercial development in the area, does not obstruct important views of the City's townscape, landmarks and features when seen from busy and important publicly accessible vantage points particularly from the main city approaches.

Traffic Impacts, Access Arrangements and Car Parking

The Roads Engineer has stated that the statutory maximum of car parking spaces for the site would be 362 spaces. The application as submitted has proposed 358 car parking spaces which is 4 spaces under the maximum and is considered an acceptable amount. There would be 3 levels of car parking underneath the offices which would not be visible from the Hill of Rubislaw along with 1 drop off car space to the front of the building, 36 long stay cycle parking spaces, 12 short stay cycle parking spaces, 12 staff motorcycle parking spaces

and 4 visitor motorcycle parking spaces. The design of the building would allow for a one way system within the car parking area with access ramps to be each end of the main building.

Addressing the issues raised by the objector, Transport Scotland have stated that they accept the additional traffic on Anderson Drive with no necessary mitigative work. The objection in relation to the maximum statutory parking limit being inadequate and additional development of this nature within the Hill of Rubislaw would result in increased 'fly-parking' on surrounding streets, the roads engineer is satisfied with the amount of car parking on the site. The maximum parking provision is statutory, therefore the amount of proposed car parking should not exceed this.

A Transport Assessment in support of the application has been submitted and a resolution has been reached in respect of mitigation and matters that will require to be implemented to support the accessibility of the development. A condition has been attached requiring the submission of a Travel Plan in accordance with the advice of Transport Scotland.

The site is located on a bus route and a cycle route into the City and the development would provide 48 cycle parking spaces as well as lockers, showers and changing facilities for cyclists.

The site is accessible by sustainable travel modes, in accordance with the requirements of Policy D3.

Site Drainage and Flooding

Both SEPA and Scottish Water were consulted. SEPA has no objection to the proposal provided conditions are attached relating to the provision of an Environmental Management Plan and Sustainable Waste Management. Scottish Water have also no objection to the proposal.

The Roads Engineer is satisfied that the drainage proposals are satisfactory. The surface water would drain into Rubislaw Quarry, which is accepted as a SUDS treatment. The drainage proposals as described in the Drainage Assessment are technically competent and therefore acceptable. Any issues regarding the legal right of the developer to discharge surface water into the quarry is a matter for the respective landowners. It is not a relevant material planning consideration.

Impact on Natural Heritage

Rubislaw Quarry is designated a Local Nature Conservation Site. There is also a Tree Preservation Order on the trees to the west of the site. The majority of the site is covered in gorse bushes and self-seeded small trees but there are approximately 22 trees which will be required to be removed from the site.

Peregrines

Peregrine Falcon Surveys were carried in 2005, 2006 and 2007 in relation to past planning applications. It was noted in February 2006 that a Peregrine was found to be roosting in the quarry. Later surveys in 2006 and 2007 found no evidence of Peregrines using, or nesting in, the quarry.

As a result of the quarry's history in relation to Peregrine's, a Peregrine Falcon Survey dated 25th May 2012 was carried out which stated that 'no Peregrine Falcons are nesting in the quarry due to the rise in water levels and reductions in nesting ledges by water and colonization by gorse'. Neither SNH or the North East Raptor Study Group have any comments to make in this respect.

Trees

There are 22 trees due to be felled for the development which range in height from 6.3m to 13.8m and have been identified as 8 Ash, 4 Elm, 1 Sycamore, 1 Whitebeam, 1 Willow, 3 Cherry and 4 Birch which are protected by Tree Preservation Order No 134. Tree Preservation Order No 134 covers part of the application site, mainly around the western, southern and eastern edges. All these trees are located along the north and north eastern boundary to the quarry and are predominantly self seeded with a few being fully matured. Policy NE5 refers to trees that 'contribute significantly' to the site and it is considered that these trees do not. Trees that do 'contribute significantly' to the site can be found along the western and south western boundaries of the quarry adjacent to Queens Road and these will not be felled as a part of this planning application as they provide an important visual feature and contribute to the character of the surrounding.

Bats

According to records supplied by North East Scotland Biological Records Centre, there are no recorded sightings of bats within the application site which is an area of predominantly gorse and self seeded small trees. Scottish Natural Heritage has made no comment in relation to bats.

Green Space Network

As previously mentioned the proposed development would have limited impact on existing wildlife habitats and would not destroy or erode the character or function of this area of green space, due mainly to how it currently functions. The principle of development on the site has already been established and this is accepted as a development site. The existing planning permission can at any point still be implemented. Its current function is an area of land that cannot be accessed by members of the public as it is fenced off with security fencing. Therefore it is considered that the proposal does not conflict with Policy NE1 of the Aberdeen Local Development Plan.

Given the above information it is not considered that there would be a significant detrimental impact on the application site or the Local Nature Conservations Site as a direct result of the proposed development in relation to peregrine falcons, trees, bats, the Green Space Network or the general ecology, wildlife and nature conservation value of the quarry. The proposal therefore complies with Policies NE1, NE5 and NE8.

Radon Gas

It is recognised that granite releases Radon gas and that exposure to this can cause lung cancer. Due to the proximity of the proposed development to the quarry, ACC's Environmental Health Officer has requested that a condition be attached, requiring a scheme detailing suitable equipment for monitoring Radon Gas and which has been installed and is fully operational prior to occupation

Low and Zero Carbon Buildings

In compliance with Policy R7, a condition has been attached to ensure that prior to occupation a scheme detailing compliance with the Council's Low and Zero Carbon Buildings has been submitted to and approved in writing by the planning authority.

Planning Obligations

The developer contributions have been assessed based on a gross floor area (GFA) of the commercial premises plus 50% of hard standing and car parking (Gross External Area – GEA). The development in this instance would require a contribution towards Core Paths, a combined footway and cycleway along the section of Queens Road between the Hazlehead Roundabout and the Hill of Rubislaw and a contribution towards the Strategic Transport Fund. The developer has agreed to make the contributions.

RECOMMENDATION

Willingness to approve, subject to conditions, but to withhold the issue of consent document until the applicant has made a payment to the Council of developer contributions towards Strategic Transport Fund, Developer Contributions in relation to Core Paths and Combined Footway and Cycleway

REASONS FOR RECOMMENDATION

The proposed development would bring significant benefits to the economy of the City. Scottish Planning Policy (SPP) advises that planning authorities should respond to the diverse needs and locational requirements of different sectors and sizes of businesses and take a flexible approach to ensure that new economic opportunities can be realised. In order to support economic development, SPP advises further that authorities should take into account the economic benefits of proposed development, promote development in sustainable locations, particularly in terms of accessibility, promote the full and appropriate use of land and buildings and support development that will provide new employment opportunities. The proposal would meet a key objective of the structure plan which is to provide opportunities which encourage economic development and create new employment in a range of areas.

The site is recognised as a development site and currently has an active planning permission for a mixed use development of flats and offices which will remain in perpetuity. The size and scale of the proposed building reflects that which currently has permission. The design of the building and proposed external finishes would be of a high standard. Sufficient onsite parking and cycle facilities would be provided. The site is accessible by a variety of travel modes, including public transport. The traffic generated by the development can be accommodated on the local road network.

The proposal would not have a detrimental impact on the character or amenity of the residential area or neighbouring employment area. There would be no significant impact on the ecology and nature conservation value of the quarry. The proposal accords with Policies H1, D1, D3, R7, NE1, NE5, NE6, NE8, NE9,

D6, I1 and T2 of the Aberdeen Local Development Plan, Scottish Planning Policy and the Aberdeen City and Shire Structure Plan both in relation to Economic Development.

CONDITIONS

it is recommended that approval is granted subject to the following conditions:-

(1) that no development shall take place within the application site unless 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 - in the interests of protecting items of historical importance as may exist within the application site.

(2) 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 boundary enclosures for the entire development hereby granted planning permission. The building hereby granted planning permission shall not be occupied unless the said scheme has been implemented in its entirety - in order to preserve the amenity of the neighbourhood.

(3) that no development shall take place unless a further 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 - in the interests of visual amenity.

(4) that the development hereby approved shall not be occupied unless the car parking spaces, drop off car space, cycle and motorcycle parking spaces, lockers, showers and changing facilities hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing Nos. 201 Rev C and 202 Rev D 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 those specified above - in the interests of public safety, free flow of traffic and public amenity.

(5) that the development hereby granted planning permission shall not be occupied unless all drainage works detailed on Plan Nos 93323/2051 rev A 3323/2052 rev A or such other plan as may subsequently be approved in writing by the planning authority for the purpose have been installed in complete accordance with the said plan - in order to safeguard water qualities in adjacent watercourses and to ensure that the proposed development can be adequately drained.

(6) 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 - in the interests of the amenity of the area.

(7) 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 5 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 - in the interests of the amenity of the area.

(8) that, except as the Planning Authority may otherwise agree in writing, no construction or demolition work shall take place:

(a) outwith the hours of 7.00 am to 7.00 pm Mondays to Fridays;

(b) outwith the hours of 9.00 am to 4.00 pm 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] - in the interests of residential amenity.

(9) That no development shall take place unless a scheme for external lighting has been submitted to and approved in writing by the Planning Authority, and thereafter implemented in full accordance with said scheme - in the interest of public amenity.

(10) that the building hereby approved shall not be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full - to ensure that this development complies with requirements for reductions in carbon emissions specified in the City Council's relevant published Supplementary Guidance document, 'Low and Zero Carbon Buildings'.

(11) that the building hereby approved shall not be occupied unless scheme detailing suitable equipment for monitoring Radon Gas has been submitted to and approved in writing by the planning authority and thereafter has been installed in accordance with the details so agreed - in the interests of public safety.

(12) that no development pursuant to this planning application shall take place unless there has been submitted to and approved in writing by the planning authority a location specific Environmental Management Plan (EMP) for the Hill of Rubislaw site. The plan shall be submitted and approved in writing by the Planning Authority at least 2 months before works commence on site or in accordance with any other timescale agreed in writing by the Planning Authority - to prevent pollution of water environment and to minimize and manage waste on site.

(13) that no development shall take place unless waste management proposals which provide adequate arrangements for the segregation, storage, collection and management of business waste, has been submitted to and approved in writing by the Planning Authority - in the interests of public safety.

(14) that no development shall take place unless 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 - in order to ensure adequate protection for the trees on site to be retained during the construction of the development.

(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 5 metres of foliage, branches or trunks - in order to ensure adequate protection for the trees on site during the construction of the development.

(16) that there shall be no tipping of materials or excavated materials into the quarry - in order to avoid damage and/or destruction of trees and regenerating woodland protected by Tree Preservation Order No 134.

(17) that the construction site and developed area shall be securely fenced to prevent access to the rest of the quarry rim both during and after construction. The fences shall be erected as close to the perimeter of the construction site as is compatible with operational requirements, details of which shall be submitted to and approved in writing for the purpose by the planning authority and shall be implemented in complete accordance with the details so approved - in order to prevent pedestrians from a wider area causing disturbance to peregrine falcons.

(18) that development shall not commence until a bird hazard management plan as been submitted to and approved in writing by the planning authority. The submitted plan shall include details of the management of the site, which may be attractive to nesting, roosting and 'loafing' birds and shall be implemented as approved upon completion of the roof and shall remain in force for the life of the building and thereafter the agreed measures shall be implemented in full - to avoid endangering the safe movement of aircraft and the operation of Aberdeen Airport through the attraction of birds.

(19) that the offices hereby granted planning permission shall not be occupied unless a schedule of work relating to the upgrade of four bus stops (2 each on Queens Road and Anderson Drive) to a minimum standard of a shelter, raised kerbs, lighting and seating has been submitted to and agreed in writing by the Planning Authority and thereafter implemented in its entirety - in order to encourage more sustainable forms of travel to and from the development.

(20) that the development shall not be occupied unless a scheme showing the upgrading of the traffic signals at the Queens Road / Hill of Rubislaw junction has been submitted to and agreed in writing by the Planning Authority and thereafter implemented in its entirety - in order to allow for improved signal timings, thereby improving the capacity of the junction.

(21) that the development shall not be occupied unless there has been submitted to and approved in writing a detailed Travel Plan, which outlines sustainable measures to deter the use of the private car, in particular single occupant trips and provides detailed monitoring arrangements, modal split targets and associated penalties for not meeting targets and that 3 months prior to occupation a Travel Pack shall be submitted to and approved in writing by the Planning Authority - in order to encourage more sustainable forms of travel to the development.

Dr Margaret Bochel

Head of Planning and Sustainable Development.

KJ TAIT
ENGINEERS

42 Union Terrace, Aberdeen AB10 1NP

Email: [REDACTED]

Our Ref: A0912-0001-SO-KC

17 December 2012

Planning Trainee (Development Management)
Planning and Sustainable Development
Enterprise, Planning & Infrastructure
Aberdeen City Council
Business Hub 4
Marischal College
Broad Street
Aberdeen
AB10 1AB

For the attention of Jennifer Chalmers

Dear Sirs

**HILL OF RUBISLAW, RUBISLAW QUARRY
PROPOSED OFFICE DEVELOPMENT OF 10,840SQM OF OFFICE ACCOMODATION WITH
ASSOCIATED NEW ACCESS ROADS, CAR PARKING AND LANDSCAPING.
APPLICATION REF: P121692**

I note the submission of a Planning Application for the above noted development.

KJ Tait Engineers is providing professional Mechanical & Electrical Engineering and Sustainability & Energy Consultancy services as part of the design team for the development.

Our approach to this development is based on tried and tested low energy design techniques, developed over a long and successful track record of major office construction projects. In addition to the design of low energy engineering services, we have provided significant input to the general design of the building and its sustainability and energy credentials. This includes computer modelling and detailed consideration of the facade design, building materials, air tightness and other characteristics to ensure that the building will meet and surpass current energy regulations.

BREEAM assessments provide a structured technique to appraise, develop and recognise the energy and wider environmental characteristics of construction projects. KJ Tait Engineers' BRE Accredited professional BREEAM Consultants are closely involved with the development of the design to ensure that the BREEAM credentials of the building are fully considered and optimised.

I wish to formally register my support for this Planning Application, and I am confident that once approved the development will provide an admirable and much-needed addition to the office portfolio in Aberdeen.

Yours faithfully
for KJ Tait Engineers

[REDACTED]
Stephen Osborne
Director
Email: [REDACTED]

Chartered Building Services Engineers

Also at: Cambridge, Edinburgh, Glasgow, and London

KJ Tait Engineers Limited, Registered Office: 15 Woodside Terrace, Glasgow G3 7XH. Registered in Scotland No. SC371461

From: <webmaster@aberdeencity.gov.uk>
To: <pi@aberdeencity.gov.uk>
Date: 27/12/2012 10:16
Subject: Planning Comment for 121692

Comment for Planning Application 121692

Name : Simpson Buglass
Address : Graham + Sibbald
21 Carden Place
Aberdeen
AB10 1UQ

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : We act for ConocoPhillips which occupies Rubislaw House and Royfold House, the two nearest (and most affected) office blocks to this proposed development. We would like to record our objection to this development on their behalf, for the following reasons:

• The local road network already operates over capacity; this major development will have a detrimental impact on the existing situation. Unlike the residential development already consented to, the traffic flows will concentrate and exacerbate the existing problem.

• The scale, form and massing of the proposed development appears over-dominant in the site.

• The maximum statutory parking limit for offices is inadequate and additional development of this nature on the Hill will result in increased fly-parking on surrounding unregulated residential streets.

• Due to the extreme physical constraints of the site we cannot see how any development can be constructed on it without causing catastrophic congestion and inconvenience and dangerous safety conflicts for other Hill of Rubislaw office occupiers. We note that the applicant has not supplied a method statement on how effective separation of pedestrian and vehicular traffic is to be managed during the construction period, and we consider this to be a critically absent detail in considering this proposal for a site which affords so little spare site area for normal construction compounds etc. Additionally, as the Hill of Rubislaw internal road network is private (not a public highway), the developer's statutory remedy of a temporary public road closure notice will not be available.

We looking forward to receiving confirmation that our objection on behalf of ConocoPhillips has been noted.

Agenda Item 2.2

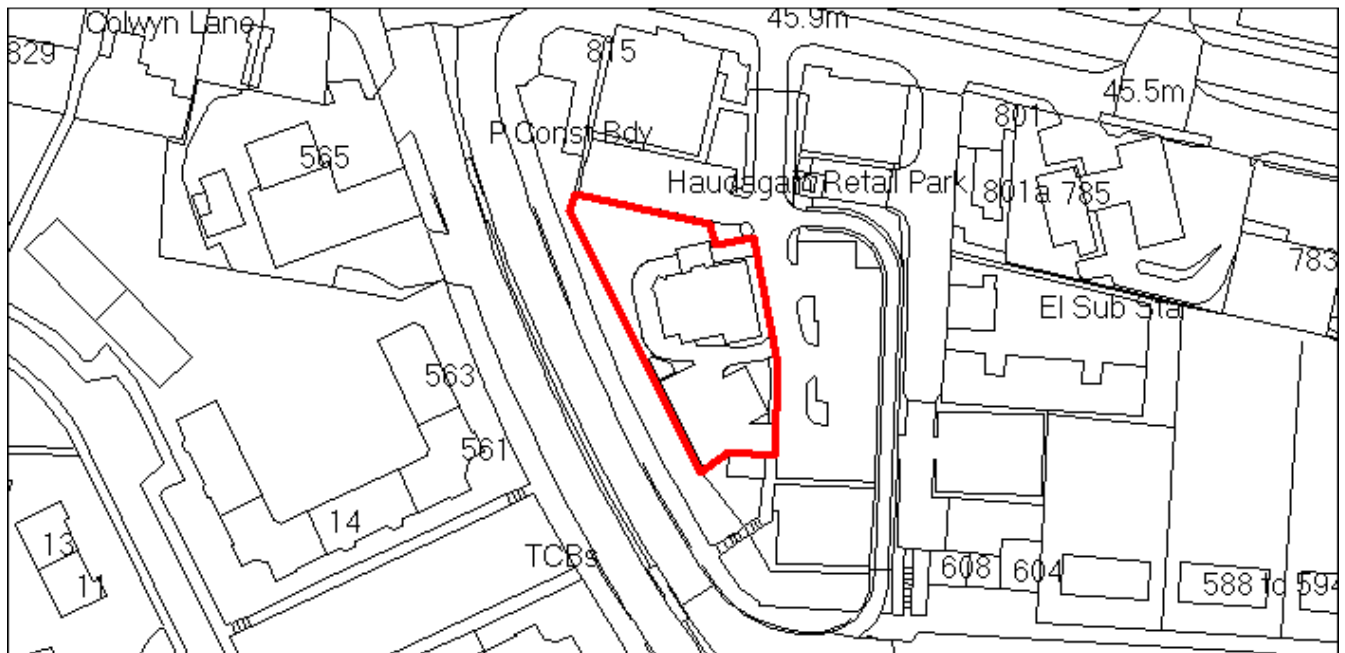
HAUDAGAIN RETAIL PARK, UNIT 3 GREAT
NORTHERN ROAD, ABERDEEN

EXTENSION AND ALTERATION TO EXISTING
DRIVE-THRU RESTAURANT, ALTERATIONS
TO CAR PARK AND PROVISION OF
EXTERNAL CUSTOMER SEATING AREA

For: Herbel (Northern) Ltd

Application Type : Detailed Planning Permission
Application Ref. : P121763
Application Date: 21/12/2012
Officer: Robert Forbes
Ward : Hilton/Stockethill (G Adam/K Blackman/L
Dunbar)

Advert : Section 34 -Proj. Pub.
Concern
Advertised on: 16/01/2013
Committee Date: 18 April 2013
Community Council : No response
received



RECOMMENDATION:

Approve subject to conditions

DESCRIPTION

The site comprises part of the Haudagain Retail Park. It is used as a “drive thru” restaurant / take-away with associated car parking / circulation space. The building is set at a significantly lower level than the adjacent main road to the west and the housing beyond that. There are incidental areas of open space within the site and substantial areas of open car parking within the wider retail park, including a largely disused area of car parking at the east end of the retail park. Vehicle access to the retail park is via Great Northern Road and Clifton Road, via a ramp.

RELEVANT HISTORY

Planning permission for the erection of the retail park, including the “drive thru” restaurant and associated car parking / access ramp, on land formerly used as allotments, was granted in the 1990s and was implemented.

PROPOSAL

This is an application for detailed planning permission to alter and extend the existing building and adjust the associated car parking / circulation arrangements. Approximately 120 square metres of additional floorspace would be provided in an extension to the south of the existing building and an associated external seating area. The building elevations would be altered to create a more contemporary appearance. The external materials would comprise curtain wall glazing, grey rendered masonry walls, grey metal fascia cladding panels and a red metal clad fin wall feature on the east elevation. The main public area of the extension would be at its eastern side, with a dry goods store and bin store enclosure occupying the western section. Amendments have been made to the design of the building to retain the existing roof tower feature, which was originally proposed to be overclad with red aluminium panels and to have its pitched roof removed.

The car parking and external landscape area would be adjusted to accommodate the need for retention of a customer car stacking lane within the site, which would be increased in length / capacity by one space. The overall number of car parking spaces within the wider retail park would be reduced from 80 to 72 spaces. The existing access arrangements would be retained and an adjusted pedestrian access provided to link with the existing access steps on North Anderson Drive.

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?121763>

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

REASON FOR REFERRAL TO SUB-COMMITTEE

The application has been referred to the Sub-committee because it required to be advertised as a project of public concern. Accordingly, the application falls outwith the scope of the Council’s Scheme of Delegation.

CONSULTATIONS

Roads Project Team – Note that the proposal has been amended in accordance with their comments and have no objection;

Environmental Health – Request that a condition be imposed in order to restrict the hours of operation of the external seating area due to the potential for creation of noise disturbance to nearby residents;

Enterprise, Planning & Infrastructure (Flooding) - No observations;

Community Council - No response received

REPRESENTATIONS

None

PLANNING POLICY

National Policy and Guidance - SPP regarding transport seeks to minimise travel by private car and encourage alternative travel modes.

Aberdeen Local Development Plan

The site lies within an H1 residential area which has an objective to protect existing residential amenity. Policy D1 (Architecture and Placemaking) seeks to ensure high standards of design. Policy D3 (Sustainable Travel) seeks to ensure development is designed to minimise travel by private car. Policy D6 (Landscape) seeks to ensure protection and enhancement of existing landscape assets, including green spaces. Policy T2 (Managing Transport Impact) seeks to minimise traffic generation and sets maximum parking standards.

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.

The proposal is a minor extension to an existing established use. It is considered to be compatible with the residential amenity of the surrounding area and H1 policy in the local plan given the significant distance from the closest adjacent dwellings (38 m), the presence of a heavily trafficked major road between the development site and the closest houses and the modest size of the proposed extension. Given that there is no time limit imposed on the operation of the existing restaurant / take away facility, it is considered unreasonable to impose such a restriction on the proposed external seating area. The revised proposal has addressed concerns regarding loss of open space and design. Subject to imposition of conditions regarding provision of landscaping, it is considered to accord with local plan policies D1 (Architecture and Placemaking) and D6 (Landscape).

The level of car parking which would be provided within the application site is considered to be acceptable in terms of SPP regarding transport, the council's maximum parking standards and local plan policy T2. The Council's Roads officers are satisfied that the level of such provision would be appropriate and

have not raised any safety concerns regarding this matter. The proposed pedestrian facilities would enhance the existing situation and would improve pedestrian connection to North Anderson Drive in accordance with the objective of local plan policy D3 (Sustainable Travel).

Legal Challenge

Tesco Stores Ltd has submitted an appeal to the Supreme Court against the decision of the Inner House of the Court of Session to refuse its application to quash the Aberdeen Local Development Plan. Tesco has been unsuccessful regarding both an interim suspension and a full appeal in front of three judges in the Inner House and the Council has received robust advice from Counsel that the reasoning of the Inner House is sound and there are strong grounds to resist the appeal.

Planning applications continue to be determined in line with the Aberdeen Local Development Plan but the appeal is a material consideration and the Council has to take into account the basis for the legal challenge when determining applications. It should also be pointed out that the Court indicated that, even if Tesco's arguments had found favour, it would have been inclined to quash the plan only in so far as it related to Issue 64 (Allocated Sites: Woodend...Summerhill... etc.) and that it would be disproportionate to quash the whole plan.

This evaluation has had regard to and taken into account the legal challenge. None of the policies or material considerations which apply to this application would be affected by the terms of Tesco's challenge. The recommendation would be the same if the application were to be considered in terms of the 2008 Aberdeen Local Plan.

RECOMMENDATION

Approve subject to conditions

REASONS FOR RECOMMENDATION

The proposal is a minor extension to an existing use and is compatible with the residential amenity of the surrounding area and H1 policy in the local plan given the significant distance from adjacent dwellings. The revised proposal has addressed concerns regarding loss of open space and design and subject to conditions regarding provision of landscaping accords with local plan policies D1 (Architecture and Placemaking) and D6 (Landscape).

CONDITIONS

it is recommended that approval is granted 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 - in the interests of the amenity of the area.

(2) 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 5 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 - in the interests of the amenity of the area.

(3) that the development hereby approved shall not be occupied unless the revised car parking areas and pedestrian facilities proposed within the site have been constructed, drained, laid-out and demarcated in accordance with drawing No.12-188-04 A of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing for the purpose by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the ancillary parking of cars or the enabling of access to the development and use thereby granted approval - in the interests of public safety and the free flow of traffic.

Dr Margaret Bochel

Head of Planning and Sustainable Development.

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Agenda Item 2.3

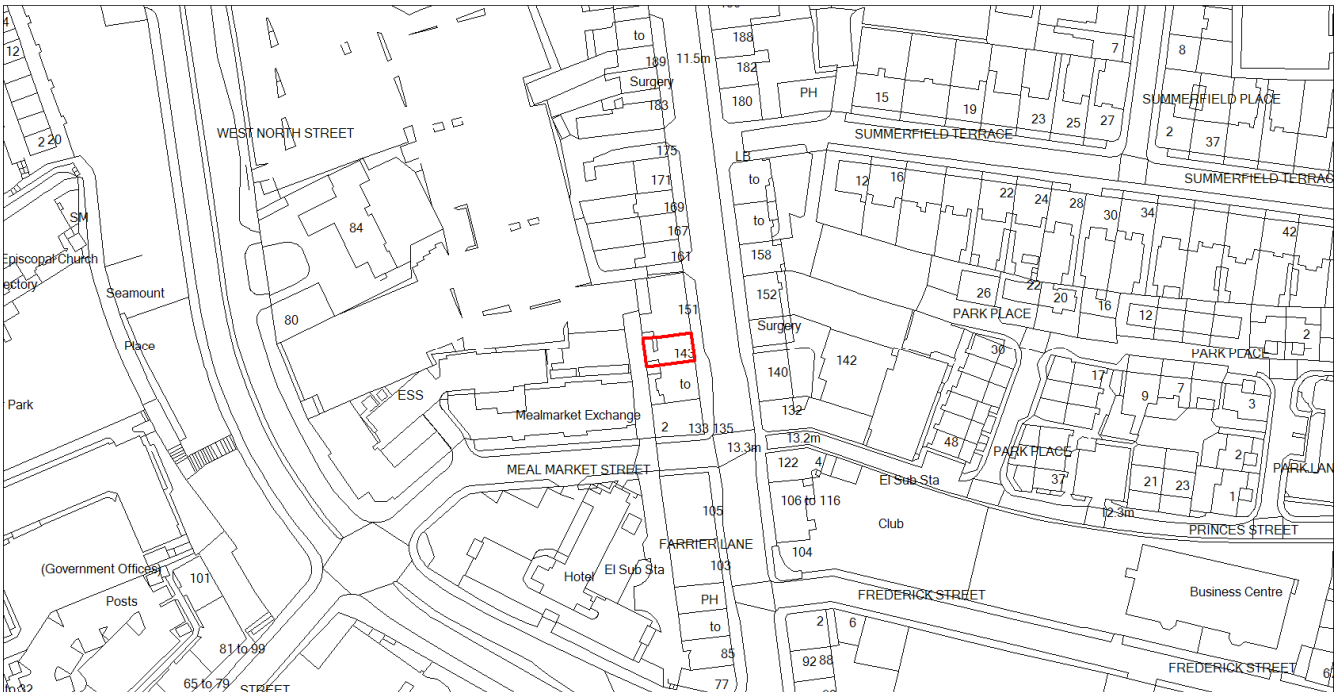
145 KING STREET, ABERDEEN

PROPOSAL TO FORM A PAVEMENT CAFE

For: Lahore Karahi Restaurant

Application Type : Detailed Planning Permission
Application Ref. : P121087
Application Date: 01/08/2012
Officer: Matthew Easton
Ward : George Street/Harbour (A May/J Morrison/N Morrison)

Advert : Section 34 -Proj. Pub.
Concern
Advertised on: 15/08/2012
Committee Date: 18 April 2013
Community Council : No response received



RECOMMENDATION:

Approve subject to conditions

DESCRIPTION

The site is a 2½ storey classical mid-19th Century granite building located on the west side of King Street between its junctions with Meal Market Street and Summerfield Terrace.

Within the ground and basement levels of the building is 'Lahore Karahi', a Pakistani cuisine restaurant. The ground floor comprises the seating area and toilets whilst the kitchens and store are located within the basement level. Customers access the premises directly from King Street. The restaurant can accommodate 40 customers.

There are two residential flats within the building, one on the first floor and another on the second floor.

The pavement outside the premises is 3.37m at its narrowest.

The building is category C listed and within the Conservation Area 2 (Union Street).

To the north of the application site is 151 King Street which is a C listed 3½ storey building containing flats. To the south is 137-141 King Street which is also C listed and a 3½ storey building containing flats.

RELEVANT HISTORY

Planning permission (110294) for the use of the flat roof terrace at the rear of the building as a smoking area for restaurant customers was refused in May 2011 by the Development Management Sub Committee.

The reason for refusal was that the proposed use of the terrace as a smoking area would have failed to take into account the existing residential uses in the area by virtue of the disturbance which it would have been likely to generate by customers using the terrace and stairwell to access it. This would have been to the detriment of the existing residential amenity of the occupiers of the flats above the restaurant and the flats on either side of the building.

PROPOSAL

It is proposed to use the pavement at the front of the building to place tables and chairs for use by customers. The proposed layout plan shows that there would be one table and a set of two chairs on each side of the entrance door, resulting in a total of two tables and four chairs. The street café area would be 6.8m long and 0.8m wide, which includes a gap to allow customers to enter and exit the building.

Each set of tables and chairs would be enclosed by a barrier which would be 1.8m wide and 0.83m high.

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?121087>.

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

REASON FOR REFERRAL TO SUB-COMMITTEE

The application has been referred to the Sub-committee because the Council have an interest in the application as roads authority who maintains the pavement and the proposal is considered to be a project of public concern. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Project Team –

- Satisfied with the pavement width (2175mm – 2375mm) which would remain.
- Request additional barriers placed perpendicular to the footway between the front of the building and the proposed banner barriers.
- The applicant would be required to apply for consent to the roads authority for occupation of the pavement.

Environmental Health – No response received.

Community Council – No response received.

REPRESENTATIONS

One letters of objection has been received from an occupant of 151 King Street. The submission highlights the following matters –

- The restaurant previously placed tables and chairs on the pavement without consent.
- There was a Hookah pipe (a type of water pipe originating from the Middle East and South Asia which is generally used for smoking flavoured tobacco) on the table which implies that people would be smoking at the door of the restaurant.

- If tables and chairs were placed outside the restaurant, there would be limited space on the pavement for pedestrians to pass.
- The restaurant is open until 11pm. If customers were outside on the street at this time it would create additional noise especially when the tables and chairs were taken inside. If they were to be left outside they would be a target for vandalism.
- The serving of food outside would exacerbate the sea gull problem on King Street, especially if tables were not cleared immediately after customers have left.

PLANNING POLICY

National Policy and Guidance

Scottish Planning Policy / Scottish Historic Environment Policy

Listed Buildings – Planning authorities are required when determining applications for planning permission or listed building consent, to have special regard to the desirability of preserving the building, its setting or any features of special architectural or historic interest which it possesses. Change to a listed building should be managed to protect its special interest while enabling it to remain in active use. The layout, design, material, scale, siting and use of any development which would affect a listed building or its setting should be appropriate to the character and appearance of the building and setting.

Conservation Areas – A proposed development that would have neutral effect on the character or appearance of a conservation area (i.e does not cause harm) should be treated as one which preserve that character or appearance. The design, materials, scale and siting of new development within a conservation area, and development outwith the conservation area that will impact upon its appearance, character or setting, should be appropriate to the character and setting of the conservation area. Planning permission should normally be refused for development, including demolition, within a conservation area that fails to preserve or enhance that character or appearance of the area.

Aberdeen Local Development Plan

Policy H2 (Mixed Use Areas) – Applications for development or change of use within mixed use areas must take into account the existing uses and character of the surrounding area and avoid undue conflict with the adjacent land uses and amenity. Where new business and commercial uses are permitted, development should not adversely affect the amenity of people living or working in the area.

Policy C1 (City Centre Development – Regional Centre) – Development within the city centre must contribute towards the delivery of the vision for the city centre as a major regional centre expressed in the *City Centre Development Framework*.

Policy D5 (Built Heritage) – Proposals affecting conservation areas or listed buildings will only be permitted if they comply with Scottish Planning Policy (SPP).

Supplementary Guidance

Harmony of Uses – Residential, Licensed Premises and Commercial Uses – The Council supports and encourages the provision of street cafes in the city centre, as they make a positive contribution by adding vitality, colour, life and interest to the street scene. They can help maximise the use of public spaces, aid the local economy and add to the facilities offered to people who visit, live, and work in Aberdeen.

It is important that street cafes are properly designed, administered and managed to ensure that they meet the high standards expected in Aberdeen city centre. They should not obstruct public space or create a hazard for pedestrians, especially for blind, partially sighted and other disabled people.

Before agreeing to planning permission for a street café, the Council must ensure:

1. They do not constitute a hazard; there should be enough pavement width or equivalent space to accommodate the seating, tables and café operation without causing hazard to, or invade the privacy of, other adjacent legitimate uses or impede access into or egress from nearby buildings or spaces or block a desire line.
2. If the development provides shelter from the elements, it should do so without permanently altering the physical fabric of the building to which they are attached or spaces in which they are located; and
3. They do not result in or contribute to an inadequate amenity for existing residential uses. Appropriate facilities to dispose of litter should be provided, without adversely affecting the quality, amenity or cleanliness of the City Centre.

EVALUATION

Legal Challenge to the Local Development Plan

Tesco Stores Ltd has submitted an appeal to the Supreme Court against the decision of the Inner House of the Court of Session to refuse its application to quash the Aberdeen Local Development Plan. Tesco has been unsuccessful regarding both an interim suspension and a full appeal in front of three judges in the Inner House and the Council has received robust advice from Counsel that the reasoning of the Inner House is sound and there are strong grounds to resist the appeal.

Planning applications continue to be determined in line with the Aberdeen Local Development Plan but the appeal is a material consideration and the Council has

to take into account the basis for the legal challenge when determining applications. It should also be pointed out that the Court indicated that, even if Tesco's arguments had found favour, it would have been inclined to quash the plan only in so far as it related to Issue 64 (Allocated Sites: Woodend ... Summerhill... etc.) and that it would be disproportionate to quash the whole plan.

This evaluation has had regard to and taken into account the legal challenge. None of the policies or material considerations which apply to this application would be affected by the terms of Tesco's challenge. The recommendation would be the same if the application were to be considered in terms of the 2008 Aberdeen Local Plan.

Principle of Development

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.

The Harmony of Uses supplementary guidance indicates that pavement cafes have a positive contribution to the city centre by adding vitality, colour, life and interest to the street scene. The Council therefore generally support such proposals as it assists in the aims of the City Centre Development Framework and Policy C1 (City Centre Development) of the Local Development Plan.

The site is within a mixed use area (Policy H2) where different land uses need to take into account the different uses and character of the surrounding area. In this instance the restaurant and two flats share the same building and there are residential properties on either side of the building which has the potential for conflict.

King Street is a busy street both in terms of vehicular and pedestrian traffic. Although, the introduction of the street café would introduce extra activity on the street below and adjacent to flatted properties, given the high level of existing activity and the small four person capacity of the street café, it is not considered that there would be a noticeable change to the amenity experienced by residents.

Planning permission was refused in May 2011 for a terrace at the rear of the building which would be connected to the restaurant. The situation on that occasion was different from the current proposal because unlike at the King Street side of the building, the terrace would have introduced activity into an area where there wasn't any at present, therefore diminishing the existing amenity enjoyed by residents.

That said, the street café would encourage activity which would create more prolonged activity than say a group of pedestrians simply walking past the site. For that reason it is considered reasonable to require that the tables and chairs be taken indoors each night by a certain time in order to protect adjacent residential properties from unreasonable disturbance. Given the busy nature of

King Street, but the close proximity of adjacent ground floor flats, it is considered that 8:00pm is a reasonable time for the street café to cease activity – a condition has been attached to reflect this.

The smoking of Hookah pipes (a type of water pipe originating from the Middle East and South Asia which is generally used for smoking flavoured tobacco) is not considered to be a matter which the planning authority can control.

Taking the foregoing into account it is considered that the proposal complies with Policy H2 (Mixed Use Areas) of the Local Development Plan and the Harmony of Uses Supplementary Guidance.

Public Safety

The tables and chairs would occupy part of the pavement which is currently open to pedestrians. The supplementary guidance states that pavement cafes must not constitute a hazard and should ensure that there is enough pavement width or equivalent space to accommodate the seating, tables and café operation without causing hazard to, or invade the privacy of, other adjacent legitimate uses or impede access into or egress from nearby buildings or spaces or block a desire line.

The pavement on front of the property is 3.37m between the face of the building and the kerb at its narrowest. The tables and chairs would occupy 0.8m – 1m of pavement width, which would result in 2.17m – 2.37m remaining. The roads service have considered the proposal and advise that this would be a sufficient pavement width remaining.

A layout for the tables and chairs has been submitted which is generally acceptable, however the roads service have requested that additional barriers be placed perpendicular to the footway between the front of the building and the proposed banner barriers in order that the tables and chairs are visible to visually impaired people. However this is considered to be a matter of detail which is more properly dealt with and can be controlled through the street occupation license which the applicant must obtain from the Council as roads authority, should planning permission be granted.

In summary the proposal is considered to have taken into account the matters raised in the supplementary guidance and would therefore have no adverse impact upon public safety which would warrant refusal of planning permission.

Built Heritage

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities to preserve and enhance the character or appearance of conservation areas

The site is in the Union Street Conservation Area and in the vicinity of several listed buildings on King Street.

Given that the tables and chairs would be only be positioned on the pavement on an ad-hoc and temporary basis, it is considered that the character and appearance of the conservation area would be maintained. No form of shelter is proposed and therefore there would be no substantial structures such as umbrellas or similar which may have an adverse impact upon the character of the area.

Similarly the setting of nearby listed buildings, including the building at 145 King Street which the restaurant is located within, would be maintained.

Taking the foregoing into account the proposal complies with Scottish Planning Policy, Scottish Historic Environment Policy and in turn Policy D5 (Built Heritage) of the Aberdeen Local Development Plan.

Relevant Planning Matters Raised in Written Representations

- Whether the restaurant previously placed tables and chairs on the pavement without consent has no bearing on the determination of this application.
- Matters of amenity related to Hookah pipes and opening hours have been addressed in the section dealing with amenity.
- The resultant pavement width has been discussed in the public safety section of this report.
- It has been suggested that the serving of food outside would exacerbate the sea gull problem on King Street, especially if tables were not cleared immediately after customers have left. Sea gull problems are not unique to King Street are not considered that this would be a planning consideration or a reason for refusal of the application. Suitable management of the pavement café would minimise the potential for such issues arising and would be a condition of the street occupation license issued by the roads authority. However, there is a large Council owned wheelie bin in close proximity to the premises available for disposal of litter.

RECOMMENDATION

Approve subject to conditions

REASONS FOR RECOMMENDATION

Although, the introduction of the street café would introduce extra activity on the street below and adjacent to flatted properties, given high level of existing activity and the small four person capacity of the street café, it is not considered that there would be a noticeable change to the amenity experienced by residents. However, in order to protect residential amenity it is considered that 8:00pm is a reasonable time for the street café to cease activity and tables and chairs to be taken indoors. Taking this and all other matters of amenity into account it is

considered that the proposal complies with Policy H2 (Mixed Use Areas) of the Local Development Plan and the Harmony of Uses supplementary guidance.

The roads service considers that would be sufficient pavement width remaining after introduction of the pavement café. A generally acceptable layout has been submitted, but matters of detail are more properly dealt with and can be controlled through the street occupation license from the roads authority which can also stipulate conditions on the management of the street café. Public safety would therefore be maintained in accordance with the requirements of the supplementary guidance.

Given that the tables and chairs would be only be positioned on the pavement on an ad-hoc and temporary nature, it is considered that the character and appearance of the conservation area and setting of listed buildings would be maintained in accordance with the legislative requirement, SPP and SHEP and Policy D5 (Built Heritage) of the Local Development Plan.

CONDITIONS

it is recommended that approval is granted subject to the following conditions:-

(1) that the pavement café shall not be in operation and no tables, chairs or barriers shall be left outside the premises outwith the hours between 0800 and 2000, unless the planning authority has given prior written approval for a variation - in order to protect residential properties on King Street from unreasonable disturbance.

Dr Margaret Bochel

Head of Planning and Sustainable Development.

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From: <webmaster@aberdeencity.gov.uk>
To: <pi@aberdeencity.gov.uk>
Date: 08/08/2012 15:55
Subject: Planning Comment for 121087

Comment for Planning Application 121087
Name : Daniel Clews
Address : Flat 5, 151 King Street

Telephone :
Email : [REDACTED]
type :

Comment : This restaurant has previously put tables out on the pavement without having had a license, this happened when the restaurant initially opened. There was a Hookah water pipe on the table implying that people would sit outside and smoke in the vicinity of the front door to the restaurant.

The restaurant also has a balcony which had been used as external seating for patrons.

There isn't that much clearance on the pavement for tables to be laid out, without impinging on pedestrian's right of way on the pavement.

The restaurant is open until 11PM, and if people were to be sitting outside at that time there would be additional noise, especially with staff clearing up tables and bringing them inside the restaurant, that is assuming they are going to be stored inside. If they are going to be left out on the pavement they would be a prime target for vandals.

Additionally, if people were to be eating outside this would exacerbate the sea-gull problem which is prevalent in King Street, especially if the tables were not cleared immediately after patrons have vacated them.

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Agenda Item 2.4

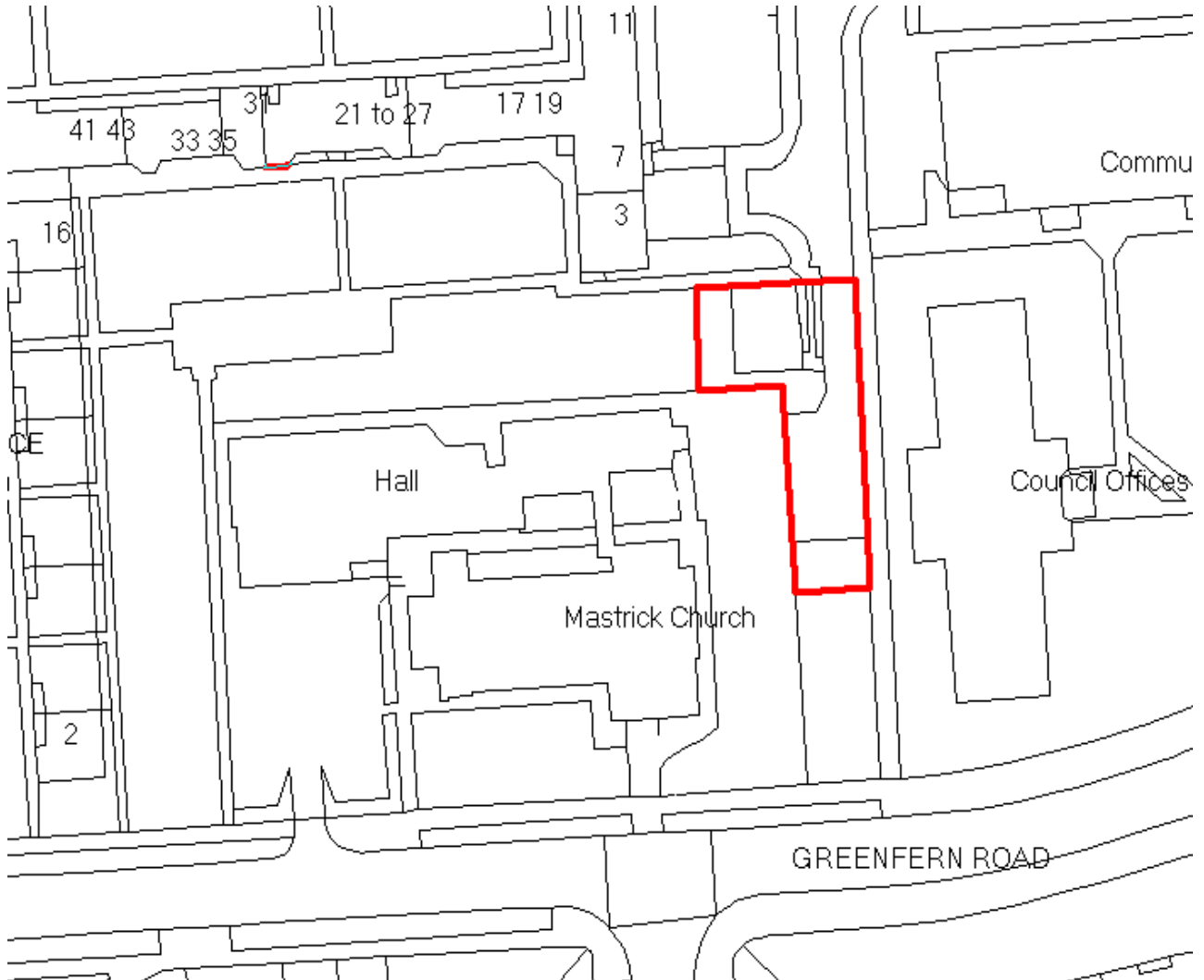
THE BOX, SPEY TERRACE

CHANGE OF USE OF AMENITY GROUND TO A PRIVATE GARDEN AND THE BUILDING FROM YOUTH COMMUNITY CENTRE TO RESIDENTIAL PROPERTY

For: Mr Edward McDonald

Application Type : Detailed Planning Permission
Application Ref. : P130143
Application Date: 05/02/2013
Officer: Lucy Greene
Ward : Northfield (J Dunbar/S Carle/G Graham)

Advert :
Advertised on:
Committee Date: 18 April 2013
Community Council : No comments received



RECOMMENDATION: Approve subject to conditions

DESCRIPTION

The application site consists of a former police 'box', or sub-station, most recently used as a community youth café, together with an area of grassed ground to the west and a stretch of road with associated parking area. The building is single storey in height, of relatively recent construction and of no particular architectural merit. The area of grassed open space to the rear of the former police box is bounded by a paved footpath, beyond this is an expansive area of grassed amenity space, which contains a number of trees. This area is enclosed by an approximately 1.5m high metal fence, so that the area within the fence is semi-private for the communal use of the residents of the nearby flats.

To the north of the application site is a two storey building containing flats, together with associated grassed open space to the front. To the south east are Council offices; to the south west is Mastrick Church and associated hall; and, to the north east is Mastrick Community Centre. The wider area is residential in nature, with a mixture of flats and houses and facilities that are complementary to residential use.

RELEVANT HISTORY

In 2000, planning permission was granted (ref. A0/1174) for conversion of disused police box into community youth café. This was subject to conditions relating to noise and hours of opening.

PROPOSAL

The application proposal is for a change of use to residential use of the building, the existing area of amenity ground to the rear (west) and the associated parking area and access road. There are no physical works requiring planning permission proposed in terms of this current application. The hard surfaced area, previously used for parking, is approximately 13m in length and approximately 8m in width.

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=130143>

REASON FOR REFERRAL TO SUB-COMMITTEE

The application has been referred to the Sub-committee because the Council owns part of the application site. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Project Team – No objection.

Environmental Health – No comments received.

Enterprise, Planning & Infrastructure (Flooding) – No observations.

Community Council – No comments received

REPRESENTATIONS

None

PLANNING POLICY

Aberdeen Local Development Plan

Policy RT3 – Town, District and Neighbourhood Centres

This policy relates to changes of use from retail to other uses, with the aim of supporting the vitality of centres.

Policy NE3 – Urban Green Space

Permission will not be granted to use or redevelop areas of urban green space for any use other than recreation or sport, unless an equivalent and equally convenient and accessible area for public access is laid out and made available in the locality by the applicant for urban green space purposes. In all cases, development will only be acceptable provided that:

1. There is no significant loss to the landscape character and amenity of the site and adjoining areas;
2. Public access is either maintained or enhanced;
3. The site is of no significant wildlife or heritage value;
4. There is no loss of established or mature trees;
5. Replacement green space of similar or better quality is located in or immediately adjacent to the same community, providing similar or improved benefits to the replaced area and is as accessible to that community, taking into account public transport, walking and cycling networks and barriers such as major road

Policy D2 – Design and Amenity

Seeks to ensure appropriate levels of amenity for residential uses.

Supplementary Guidance

Householder Development Guide

This contains guidance on assessing applications for change of use of amenity ground, on the following criteria:

- contribution of open space to the character of the wider area;
- that the proposal would not fragment or, if replicated, erode larger areas of open space;
- impact on the level of recreational open space in the area;
- impact on visual amenity;
- that the proposal would result in irregular boundaries in an uniform area
- impact on footpaths or road safety;
- creation of an undesirable precedent.

EVALUATION

General Statement

Tesco Stores Ltd has submitted an appeal to the Supreme Court against the decision of the Inner House of the Court of Session to refuse its application to quash the Aberdeen Local Development Plan. Tesco has been unsuccessful regarding both an interim suspension and a full appeal in front of three judges in

the Inner House and the Council has received robust advice from Counsel that the reasoning of the Inner House is sound and there are strong grounds to resist the appeal.

Planning applications continue to be determined in line with the Aberdeen Local Development Plan but the appeal is a material consideration and the Council has to take into account the basis for the legal challenge when determining applications. It should also be pointed out that the Court indicated that, even if Tesco's arguments had found favour, it would have been inclined to quash the plan only in so far as it related to Issue 64 (Allocated Sites: Woodend... Summerhill... etc.) and that it would be disproportionate to quash the whole plan.

This evaluation has had regard to and taken into account the legal challenge. None of the policies or material considerations which apply to this application would be affected by the terms of Tesco's challenge. The recommendation would be the same if the application were to be considered in terms of the 2008 Aberdeen Local Plan.

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.

Residential Use

The site lies within, but on the edge of an area designated as a district centre; it is also relatively close to residential properties. The district centre uses close to the application site are community uses as opposed to commercial.

The residential use proposed would be adjacent to other residential uses, however, it would not comply with all requirements of Policy RT3. In terms of the criteria in that policy:

- the residential use would not make a positive contribution to the vitality of the shopping centre;
- the proposed alternative use would not undermine the retail function of the centre, as the uses in this particular area are not retail, but are community uses;
- the application premises have never been in retail use;
- the use would not be in a public use, so would not cater for a local need, other than the extent to which residential use is needed;
- the premises do not have a traditional shop front.

The loss of a small area of open space is an issue for consideration and is dealt with below.

In terms of the level of amenity that would be provided for a future resident, this is assessed in terms of the relevant criteria in Policy D2:

- the proposed residential property would have a public face to a road and a private face to a garden;
- there would be an outside area provided; and,

- parking would be accommodated satisfactorily without impinging on the garden area.

Furthermore, it is considered that a satisfactory level of residential amenity would be capable of being provided, in terms of daylighting and sunlighting as the premises are detached and due to the location in relation to other buildings. In terms of privacy, there are windows in the front elevation of the flats to the north west of the application building. They would have an oblique view at a distance of approximately 10m towards the rear elevation of the application building, and across the rear garden, however, any future resident would be moving into this situation. The windows to the existing flat currently overlook a public area and are also at a higher, raised ground floor level. Any impact on the residents of the flats is considered not to be so significant as to warrant refusal of the application.

Change of use of open space

This would be assessed in terms of both Policy NE3 and the Householder Development Guidance.

The area of open space in question lies immediately to the rear of the building and it is bounded by a footpath. The open space beyond the footpath is contained within a chain link fence that lies approximately 2-3m from the western edge of the footpath. The small area that falls within the application site therefore functions somewhat separately from the wider open space. The space does not contain trees, nor any other particular features. It is considered that there would be no significant loss to the character or functioning of the wider area, nor any significant loss to wildlife. Public access would be maintained along the footpath and the loss to the public of the use of this small space would be insignificant given the location and size of other open spaces within the area. The proposal would not comply with all the criteria in Policy NE3 as no replacement space would be provided.

The open space remaining adjacent to the site functions separately and the change of use of this area would not create a precedent. The proposal would not impact upon the provision of recreational space within the area, nor impact significantly upon visual amenity as the area in question is to the rear of the building and to the side of other residential accommodation. It would only be seen in oblique views from the nearby street. Also, there would be no adverse impact on vehicular movements and public safety.

The proposal would not be contrary to the guidance within the Householder Development Guide and although there are tensions with Policy NE3, it is considered that the proposal does not contravene the overall aim of the policy, due to the size and location of the area in question.

RECOMMENDATION

Approve subject to conditions

REASONS FOR RECOMMENDATION

Although the premises would not remain in community use, they lie close to other premises that provide a range of facilities for the community and it is considered that the loss of this small unit would not significantly adversely impact upon either the viability or the range of uses within the district centre. The proposal would not strictly comply with Policy RT3 'Town, District and Neighbourhood Centres' of the Aberdeen Local Development Plan, however, it is considered that the particular circumstances of the application premises, the size, location and previous use mean that the proposal is acceptable. In terms of residential amenity, there would be no significant adverse impact upon neighbouring residential properties as the building exists and there is sufficient space for car parking. It is considered that an adequate level of residential amenity would be capable of being provided. The proposal complies with the Policy D2 'Design and Amenity'. In terms of open space, the area is small and due to its location and relationship with other areas of open space, it is considered to generally comply with Policy NE3 'Urban Green Space' and the Householder Development Guide.

It is recommended that approval is granted subject to the following conditions:

- (1) That the residential use of the building shall not take place without the associated area of open space within the application site being fully available for private use by the occupiers of the building, unless otherwise agreed in writing with the planning authority – in the interests of residential amenity.

- (2) That details of any boundary treatment of less than 1m in height shall be submitted to, and approved in writing by, the planning authority prior to being erected on site (it should be noted that boundary enclosures of more than 1m in height would require planning permission) – in the interests of residential amenity.

Dr Margaret Bochel

Head of Planning and Sustainable Development.

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Agenda Item 2.5

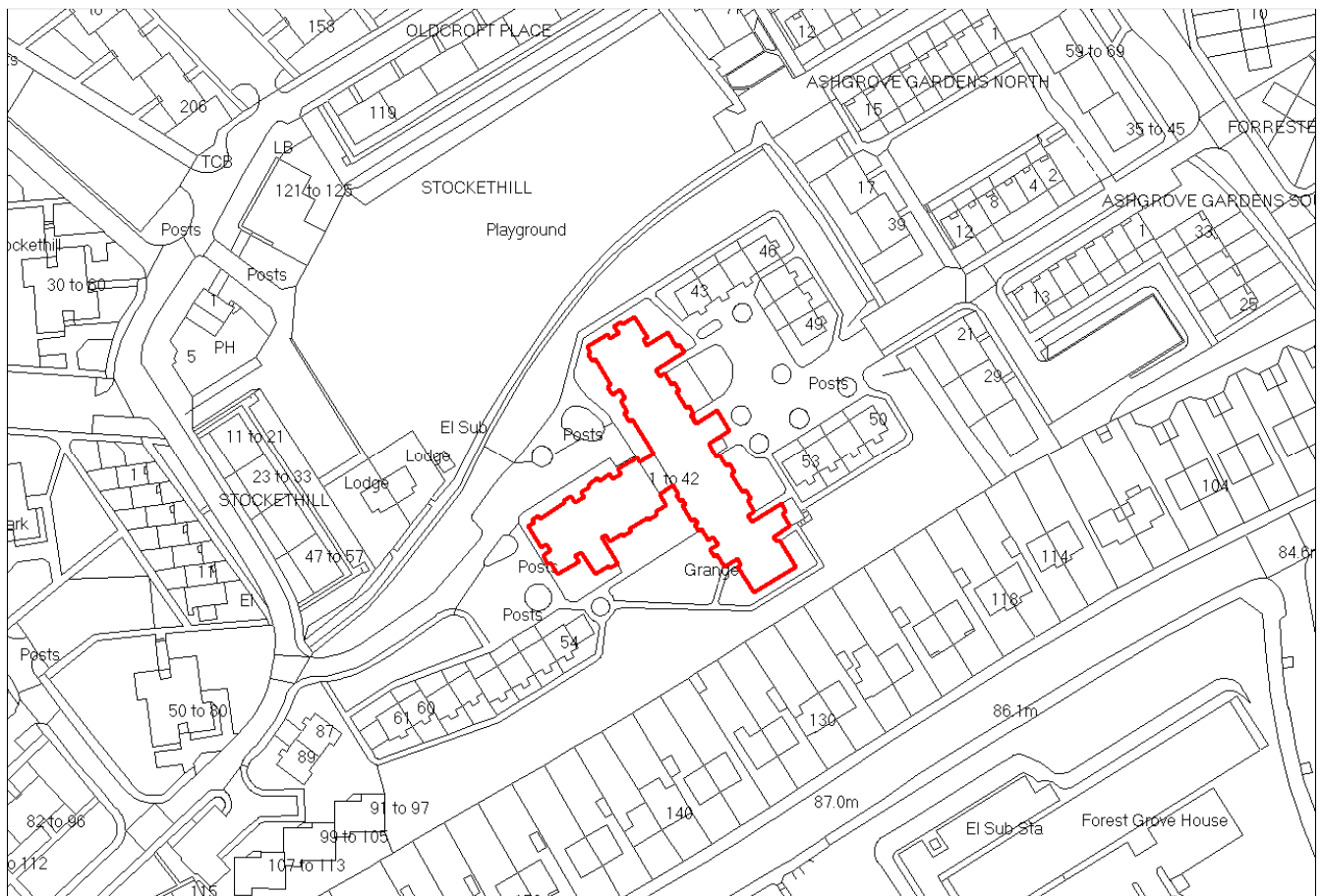
10 STOCKET GRANGE, STOCKETHILL
CRESCENT, ABERDEEN

CHANGE OF USE OF EXISTING WARDENS
FLAT TO SOCIAL CARE AND WELLBEING HUB

For: Aberdeen City Council

Application Type : Detailed Planning Permission
Application Ref. : P130159
Application Date: 07/02/2013
Officer: Donna Laing
Ward : Hilton/Stockethill (G Adam/K Blackman/L
Dunbar)

Advert :
Advertised on:
Committee Date: 18 April 2013
Community Council : No response
received



RECOMMENDATION:
Approve subject to conditions

DESCRIPTION

The site is a purpose built, Council owned sheltered accommodation block. The building is a two storey modern premises built in a T shape with the main access facing Ashgrove Gardens South. There are terraced bungalows surrounding the main block, and mature amenity space. The application relates to the the ex warden's flat which is based within the sheltered accommodation block. It is located on the south western most corner of the building, and sits over two floors.

RELEVANT HISTORY

There is no relevant planning history for the site.

PROPOSAL

The proposal relates to change of use of the warden's flat to a social care and wellbeing hub. The Hub would be used as a base for staff from Aberdeen City Council and Health Professionals such as occupational therapists, district nurses, podiatrists and carers, to go out into the community. They would also be used to provide information to tenants within the complex and leaflet displays. The Hub would never have more than two staff at any one time, with the exception of meetings where five or six staff would be present. The Hub would be open from 8am to 5pm Monday to Friday. The hub would not be open to the general public apart from residents in the complex.

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?130159>

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

REASON FOR REFERRAL TO SUB-COMMITTEE

The application has been referred to the Sub-committee because the applicant was made by Aberdeen City Council. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – response received – no observations

Environmental Health – response received – no observations

Enterprise, Planning & Infrastructure (Flooding) - response received – no observations

Community Council – no response received

REPRESENTATIONS

1 letter of objection has been received. The objections raised relate to the following matters -

Accommodation

There is a shortage of accommodation at Stockethill and the flat should be used for residential purposes. This is not a material planning consideration.

Purpose of the accommodation

The accommodation is for vulnerable/old people and should not be used to test social experiments. This is not a material planning consideration.

Alcohol and drug related incidence

There are four locations locally where alcohol is sold.
These are not material planning considerations.

PLANNING POLICY

Aberdeen Local Development Plan

Policy H1: Residential

Within existing residential areas, proposals for non-residential uses will be refused unless:

They are considered complementary to residential use; or

It can be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity.

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.

Legal Challenge

Tesco Stores Ltd has submitted an appeal to the Supreme Court against the decision of the Inner House of the Court of Session to refuse its application to quash the Aberdeen Local Development Plan. Tesco has been unsuccessful regarding both an interim suspension and a full appeal in front of three judges in the Inner House and the Council has received robust advice from Counsel that the reasoning of the Inner House is sound and there are strong grounds to resist the appeal.

Planning applications continue to be determined in line with the Aberdeen Local Development Plan but the appeal is a material consideration and the Council has to take into account the basis for the legal challenge when determining applications. It should also be pointed out that the Court indicated that, even if Tesco's arguments had found favour, it would have been inclined to quash the plan only in so far as it related to Issue 64 (Allocated Sites: Woodend... Summerhill... etc.) and that it would be disproportionate to quash the whole plan.

This evaluation has had regard to and taken into account the legal challenge. None of the policies or material considerations which apply to this application would be affected by the terms of Tesco's challenge. The recommendation would be the same if the application were to be considered in terms of the 2008 Aberdeen Local Plan.

Principle of Development

The site is located within a residential zoning and as such non-residential applications are required to be complementary to residential use or would cause

no conflict with, or any nuisance to, the enjoyment of existing residential amenity. It is on this principle that the application is to be assessed.

Impact on amenity

The hub would be used as a base for staff to go out into the community; and would provide information to those residing within the sheltered housing accommodation. The hub would house two members of staff at any one time and would be used from 8am to 5pm Monday to Friday. When meetings are held the staff number would increase to five or six.

The proposed opening hours of the social care and wellbeing hubs are considered to be acceptable. The proposed change of use would not lead to an increase in the volume of people accessing the premises, nor is it expected there would be any increase in noise levels and the proposed opening hours are not considered anti-social. The proposed use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity. The staff based at the hub would provide health related services to the local community, and would be available to the residents in the sheltered housing block which is considered complementary to the residential use.

The proposal therefore accords with Policy H1: Residential of the Aberdeen Local Development Plan.

RECOMMENDATION

Approve subject to conditions

REASONS FOR RECOMMENDATION

The proposed change of use from a warden's flat to a social care and wellbeing health hub would not have a conflict with, or cause any nuisance to, the enjoyment of existing residential amenity. The proposed opening hours are not anti-social; there would be no increase in the volume of people accessing the site and there would be no significant increase in noise from the premises. The use could also be considered complementary to the residential use.

CONDITIONS

it is recommended that approval is granted subject to the following conditions:-

(1) that, except as the Planning Authority may otherwise agree in writing, the social care and wellbeing hub shall not open outwith the hours of 8.00am to 5.00pm Monday to Friday - in the interests of residential amenity.

Dr Margaret Bochel

Head of Planning and Sustainable Development.

From: <webmaster@aberdeencity.gov.uk>
To: <pi@aberdeencity.gov.uk>
Date: 15/02/2013 14:34
Subject: Planning Comment for 130159

Comment for Planning Application 130159
Name : Mrs Susan Cowling
Address : 132 Ashgrove Road West
ABERDEEN
AB16 5BD

Telephone : [REDACTED]
Email : [REDACTED]
type :

Comment : This is just plain ill thought out.

1. There is a waiting list for Stockethill so you could use the flat for that.
2. the accomodation is for vulnerable/old people who deserve better than to be treated as guinea pigs for some social engineering scam.
3. There are two pubs and two supermarkets selling alcohol within staggering distance.
4. There is a childrens playground and playing field which has already has the problem of dealing with drunk/drug addicts from the single "social" clients that the council houses in the flats.
5. There have been already been incidents of drug related violence immediatly round the corner with which the police have dealt and by inference more which the police have not been informed of.

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DESCRIPTION

The site is a purpose built, Council owned sheltered accommodation block. The building is a two storey modern premises built in a L shape with the main access facing on to the car park which is accessed off Hareness Road. The surroundings comprise terraced bungalows and three storey blocks of flats, with mature amenity space. The application relates to the flat ex warden's flat within the sheltered accommodation block. It is located on the southern side of the building facing the car park on the first floor.

RELEVANT HISTORY

There is no relevant planning history with the site.

PROPOSAL

The proposal relates to change of use of the warden's flat to a social care and wellbeing hub. The Hub would be used as a base for staff from Aberdeen City Council and Health Professionals such as occupational therapists, district nurses, podiatrists and carers, to go out into the community. They would also be used to provide information to tenants within the complex and leaflet displays. The Hub would never have more than two staff at any one time, with the exception of meetings where there would five or six staff present. The Hub would be open from 8am to 5pm Monday to Friday. The hub would not be open to the general public apart from the residents in the complex.

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?130160>

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

REASON FOR REFERRAL TO SUB-COMMITTEE

The application has been referred to the Sub-committee because the application was made by the Council. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – Response received – no observations

Environmental Health – Response received – no observations

Enterprise, Planning & Infrastructure (Flooding) - Response received – no observations

Community Council – No response received

REPRESENTATIONS

No letters of representation have been received

PLANNING POLICY

Aberdeen Local Development Plan

Policy H1: Residential

Within existing residential areas, proposals for non-residential uses will be refused unless:

They are considered complementary to residential use; or
It can be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity.

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.

Legal Challenge

Tesco Stores Ltd has submitted an appeal to the Supreme Court against the decision of the Inner House of the Court of Session to refuse its application to quash the Aberdeen Local Development Plan. Tesco has been unsuccessful regarding both an interim suspension and a full appeal in front of three judges in the Inner House and the Council has received robust advice from Counsel that the reasoning of the Inner House is sound and there are strong grounds to resist the appeal.

Planning applications continue to be determined in line with the Aberdeen Local Development Plan but the appeal is a material consideration and the Council has to take into account the basis for the legal challenge when determining applications. It should also be pointed out that the Court indicated that, even if Tesco's arguments had found favour, it would have been inclined to quash the plan only in so far as it related to Issue 64 (Allocated Sites: Woodend... Summerhill... etc.) and that it would be disproportionate to quash the whole plan.

This evaluation has had regard to and taken into account the legal challenge. None of the policies or material considerations which apply to this application would be affected by the terms of Tesco's challenge. The recommendation would be the same if the application were to be considered in terms of the 2008 Aberdeen Local Plan.

Principle of Development

The site is located within a residential zoning and as such non-residential applications are required to be complementary to residential use or would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity. It is on this principle that the application is to be assessed.

Impact on amenity

The hub would be used as a base for staff to go out into the community; and would provided information to those residing within the sheltered housing accommodation. The hub would house two members of staff at any one time and would be used from 8am to 5pm Monday to Friday. When meetings are held the staff number would increase to five or six.

The proposed opening hours of the social care and wellbeing hubs are considered to be acceptable. The proposed change of use would not lead to an

increase in the volume of people accessing the premises, nor is it expected there would be any increase in noise levels and the proposed opening hours are not considered anti-social. The proposed use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity. The staff based at the hub would provide health related services to the local community, and would be available to the residents in the sheltered housing blocks which is considered complementary to the residential use.

The proposal therefore accords with Policy H1: Residential of the Aberdeen Local Development Plan.

RECOMMENDATION

Approve subject to conditions

REASONS FOR RECOMMENDATION

The proposed change of use from a warden's flat to a social care and wellbeing health hub would not have a conflict with, or cause any nuisance to, the enjoyment of existing residential amenity. The proposed opening hours are not anti-social; there would be no increase in the volume of people accessing the site and there would be no significant increase in noise from the premises. The use could also be considered complementary to the residential use.

CONDITIONS

it is recommended that approval is granted subject to the following conditions:-

(1) that, except as the Planning Authority may otherwise agree in writing, the social care and wellbeing hub shall not open outwith the hours of 8.00am to 5.00pm Monday to Friday - in the interests of residential amenity.

Dr Margaret Bochel

Head of Planning and Sustainable Development.

Agenda Item 2.7

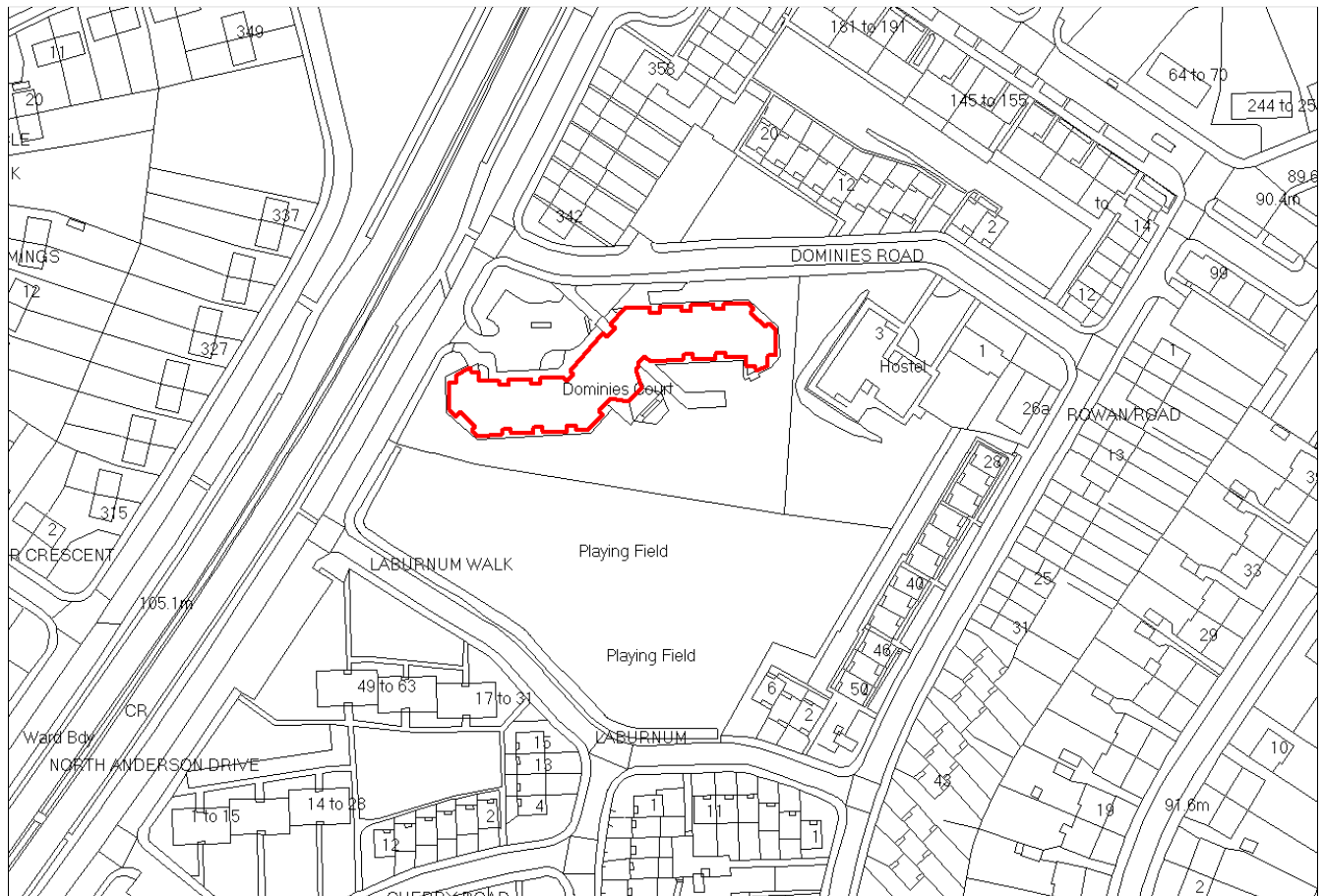
14 DOMINIES COURT, DOMINIES ROAD

CHANGE OF USE OF EXISTING WARDENS
FLAT TO SOCIAL CARE AND WELLBEING HUB

For: Aberdeen City Council

Application Type : Detailed Planning Permission
Application Ref. : P130161
Application Date: 07/02/2013
Officer: Donna Laing
Ward : Hilton/Stockethill (G Adam/K Blackman/L
Dunbar)

Advert : Can't notify neighbour(s)
Advertised on: 20/02/2013
Committee Date: 18 April 2013
Community Council : No response
received



RECOMMENDATION:
Approve subject to conditions

DESCRIPTION

The site is a purpose built, Council owned sheltered accommodation block. The building is a two storey modern premises which is built in an S shape with the main access facing the car park, which is accessed off North Anderson Drive. The surrounding area comprises terraced bungalows and two storey terraces, with mature amenity space surrounding these. The application relates to the ex warden's flat within the sheltered accommodation block. It is located on the southern side of the building, occupies 2 storeys and faces the amenity space to the south of the accommodation.

RELEVANT HISTORY

There is no relevant planning history for this site

PROPOSAL

The proposal relates to change of use of the warden's flat to a social care and wellbeing hub. The Hub would be used as a base for staff from Aberdeen City Council and Health Professionals such as occupational therapists, district nurses, podiatrists and carers, to go out into the community. They would also be used to provide information to tenants within the complex and leaflet displays. The Hub would never have more than two staff at any one time, with the exception of meetings where five or six staff would be present. The Hub would be open from 8am to 5pm Monday to Friday. The hub would not be open to the general public apart from residents in the complex.

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?130161>

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

REASON FOR REFERRAL TO SUB-COMMITTEE

The application has been referred to the Sub-committee because the applicant was made by Aberdeen City Council, further to this there have been 19 letters of objection submitted. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – Response received – no observations

Environmental Health – Response received – no observations

Enterprise, Planning & Infrastructure (Flooding) - Response received – no observations

Community Council – No response received

REPRESENTATIONS

19 letters of objection have been received. 13 letters were of the same format.

The objections raised relate to the following matters-

Security

The free movement of strangers to and from the complex defeats the purpose of it being safe and secure and can be frightening, and may lead to break ins. This is not a material planning consideration, but in any extent occupation of the premises will be confined to staff.

Payment

An additional charge is paid for security and warden service which would be compromised by this proposal. This is not a material planning consideration.

Other options and uses

There are unused buildings on Dominies Road that would be better suited to this use.

The existing flat should be split into two properties as there is a lack of accommodation within the city. This is not a material planning consideration.

Cost implications

The cost involved in transporting the public to this facility. This is not a material planning consideration.

Parking

Parking issues for current residents. This is discussed in the evaluation below.

Communication

Have the current residents been informed of this. More information is require on the purpose of the hub. This is not a material planning consideration.

Amenity

The movement of people will cause a nuisance. This is discussed in the evaluation below

PLANNING POLICY

Aberdeen Local Development Plan

Policy H1: Residential

Within existing residential areas, proposals for non-residential uses will be refused unless:

They are considered complementary to residential use; or

It can be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity.

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.

Legal Challenge

Tesco Stores Ltd has submitted an appeal to the Supreme Court against the decision of the Inner House of the Court of Session to refuse its application to

quash the Aberdeen Local Development Plan. Tesco has been unsuccessful regarding both an interim suspension and a full appeal in front of three judges in the Inner House and the Council has received robust advice from Counsel that the reasoning of the Inner House is sound and there are strong grounds to resist the appeal.

Planning applications continue to be determined in line with the Aberdeen Local Development Plan but the appeal is a material consideration and the Council has to take into account the basis for the legal challenge when determining applications. It should also be pointed out that the Court indicated that, even if Tesco's arguments had found favour, it would have been inclined to quash the plan only in so far as it related to Issue 64 (Allocated Sites: Woodend... Summerhill... etc.) and that it would be disproportionate to quash the whole plan.

This evaluation has had regard to and taken into account the legal challenge. None of the policies or material considerations which apply to this application would be affected by the terms of Tesco's challenge. The recommendation would be the same if the application were to be considered in terms of the 2008 Aberdeen Local Plan.

Principle of Development

The site is located within a residential zoning and as such non-residential applications are required to be complementary to residential use or would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity. It is on this principle that the application is to be assessed.

Impact on amenity

The hub would be used as a base for staff to go out into the community; and would provide information to those residing within the sheltered housing accommodation. The hub would house two members of staff at any one time and would be used from 8am to 5pm Monday to Friday. When meetings are held the staff number would increase to five or six.

The proposed opening hours of the social care and wellbeing hubs are considered to be acceptable. The proposed change of use would not lead to an increase in the volume of people accessing the premises, nor is it expected there would be any increase in noise levels and the proposed opening hours are not considered anti-social. The proposed use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity. The staff based at the hub would provide a health related service to the local community, and would be available to the residents in the sheltered housing block which is considered complementary to the residential use.

The proposal therefore accords with Policy H1: Residential of the Aberdeen Local Development Plan.

Parking

The proposal has been assessed by the Council's Roads Projects Team who have no observations to make on the proposal. Therefore, parking is not considered to be a concern with this proposal.

Comments received through Written Representation

The letters of representation received highlighted a number of concerns; some of these were not material planning consideration, as stated in the representations section.

RECOMMENDATION

Approve subject to conditions

REASONS FOR RECOMMENDATION

The proposed change of use from a warden's flat to a social care and wellbeing health hub would not have a conflict with, or cause any nuisance to, the enjoyment of existing residential amenity. The proposed opening hours are not anti-social; there would be no increase in the volume of people accessing the site and there would be no significant increase in noise from the premises. The use could also be considered complementary to the residential use.

CONDITIONS

it is recommended that approval is granted subject to the following conditions:-

(1) that, except as the Planning Authority may otherwise agree in writing, the social care and wellbeing hub shall not open outwith the hours of 8.00am to 5.00pm Monday to Friday - in the interests of residential amenity.

Dr Margaret Bochel

Head of Planning and Sustainable Development.

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1. Dominies Court
Aberdeen

AB 16 55Q

Application No. 13061 14 Dominies Ct.

It is with disgust that I received your Planning App. Surely there are other empty properties, for example next door in Dominies Rd. No 14 could be turned into two flats. You are always shouting not enough living accommodation in Aberdeen and you waste this chance.

I do not like the idea of people in & out of 14. I have always felt safe living here but not if this happens.

You say we have 21 days to object. If this is so how come the workmen are in and out of this property NOW

P70

As far as I am concerned this is a
deceitful move by Aberdeen Council. When
you get old, I hope you remember this and
it comes back to haunt you.



NO NO NO NO

P&SD Letters of Representation		
Application Number:	30161	
RECEIVED	27 FEB 2013	
Nor. <input checked="" type="checkbox"/>	Sou	MAP
Case Officer Initials:	006	
Date Acknowledged:	23/02/13	

Application Number 130161

26, Dominies Court,
Rosehill.

Aberdeens.
AB16-530

Aberdeen City Council
Planning Dept.

18/2/13

Dear Sir or Madam,

With regard to your letter of 14/2/13 - stating your intention of turning No 14, Dominies Court into a Social Care + Wellbeing Hub.

I advise you now, that I reject your proposal - firstly, it would have been prudent had you let me know in detail the purpose of the Hub. As you know Dominies Court is Sheltered Accommodation with security paramount in the building. A hub would put a worrying question regarding that security.

You must also be aware, there is an adjacent building lying empty + has been for sometime, which could be used.

Now regarding parking - Our car park has minimal parking space - which is used up by Tenants + their Families when they visit, + with Carers coming out + in

(2)

all day, more often than not there is not enough space.

I hope my objection will be noted + used against any proposed planning application. I should like from you confirmation that my objection will be brought up at the appointed time.

Yours faithfully

[Redacted signature]

130461

Mr & Mrs Reid

16, Dominies Court
Rosehill

AB 1655Q

Dear Sir or madam,

Re your letter Friday 16th Feb about
the hub coming into our building.
We object to this as we are worried
about security and feel we are going to
have a lot more people coming into
our building. We came into sheltered
housing to be safe in knowing we had
a place to be safe and because we
needed help to get off stairs and such
like. I phoned the council and did not
get much information. Please register
our objection to this proposal,
Yours sincerely

Planning Application No 130161

Dominies court

Social care and wellbeing hub

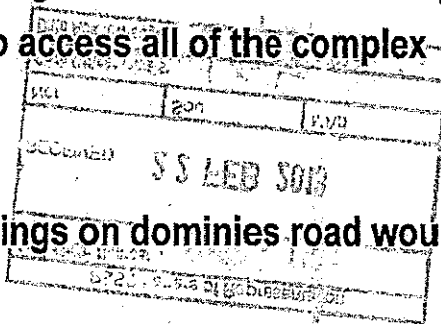
No 130161

I feel I must oppose the above planning application

The proposal to set up this HUB within a safe and secure sheltered complex defeats the idea of the complex being safe and secure for the elderly.

The movement of strangers to and from the complex and the free movement to access all of the complex can be frightening.

The unoccupied buildings on dominies road would seem to be a better option.



Name... PHYLLIS WILSON

Flat number... 6

Signature... 

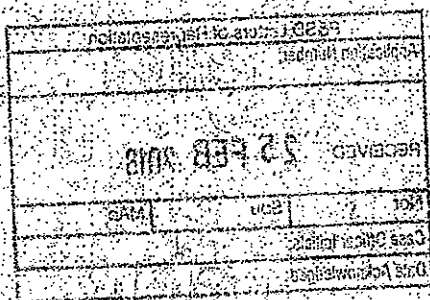
From: <webmaster@aberdeencity.gov.uk>
 To: <pi@aberdeencity.gov.uk>
 Date: 22/02/2013 12:33
 Subject: Planning Comment for 130161

Comment for Planning Application 130161

Name : Mary Imray
 Address : 13 Dominies Court
 Aberdeen
 AB16 5JQ

Telephone: [REDACTED]
 Email: [REDACTED]
 type:

Comment : I write to object to the change of use proposed for 14 Dominies Court, this property is next door to mine. I live in a safe and secure building for elderly and vulnerable residents. To have a hub which can be used by non-residents will severely impact on our lives. There can be no question that security will be affected and the prospect of strangers having access to our building is frightening to myself and other residents. I also anticipate a considerable nuisance factor with comings and goings of people. There are surely more suitable alternative properties which could be adapted for the purposes served by this hub.



Untitled

From: <webmaster@aberdeencity.gov.uk>
To: <pi@aberdeencity.gov.uk>
Date: 17/02/2013 17:09
Subject: Planning Comment for 130161

Comment for Planning Application 130161

Name: Donald & Margaret Pine
Address:
Dominies Road
Aberdeen, AB16 5JQ

Telephone:

Email:

Type:

Comment: I was disappointed to receive the notification that flat number 14 was changing use to a social care and well-being hub.

The reason we moved into Dominies court was for the added security of the building, but this is very likely to be compromised by individuals coming and going from the building on a regular basis for appointments at this Hub.

We pay an additional charge on our rent for this security and warden service, and if this is to be compromised so easily, then I feel this charge is being paid for services that may no longer exist.

We strongly object to this change of use for the flat and hope you will take our concerns into account before making final decisions on this.

Untitled

From: <webmaster@aberdeencity.gov.uk>
To: <pi@aberdeencity.gov.uk>
Date: 21/02/2013 10:56
Subject: Planning Comment for 130161

Comment for Planning Application 130161
Name: james reid
Address: 43 deansloch terrace
Aberdeen

Telephone:

Email:

Type:

Comment: I object to the change of use for the former house into a well being centre as this is a secure facility for the elderly.

When you open this up as a clinic you expose the residents to access by being a clinic. My question would be who is the clinic

for? If the answer is the elderly:-

1. There is a cost involved in transporting them to this facility
2. If it is for the public, you have now exposed the current residents to possible break ins.
3. Parking issues for the current residents.
4. Have the current residents been informed of the plan for this facility, and if not, why not?

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Agenda Item 2.8

33 JANESFIELD MANOR, GARTHDEE

CHANGE OF USE OF EXISTING WARDENS
FLAT TO SOCIAL CARE AND WELLBEING HUB

For: Aberdeen City Council

Application Type : Detailed Planning Permission

Application Ref. : P130162

Application Date: 07/02/2013

Officer: Donna Laing

Ward : Airyhall/Broomhill/Garthdee (I Yuill/A
Taylor/G Townson)

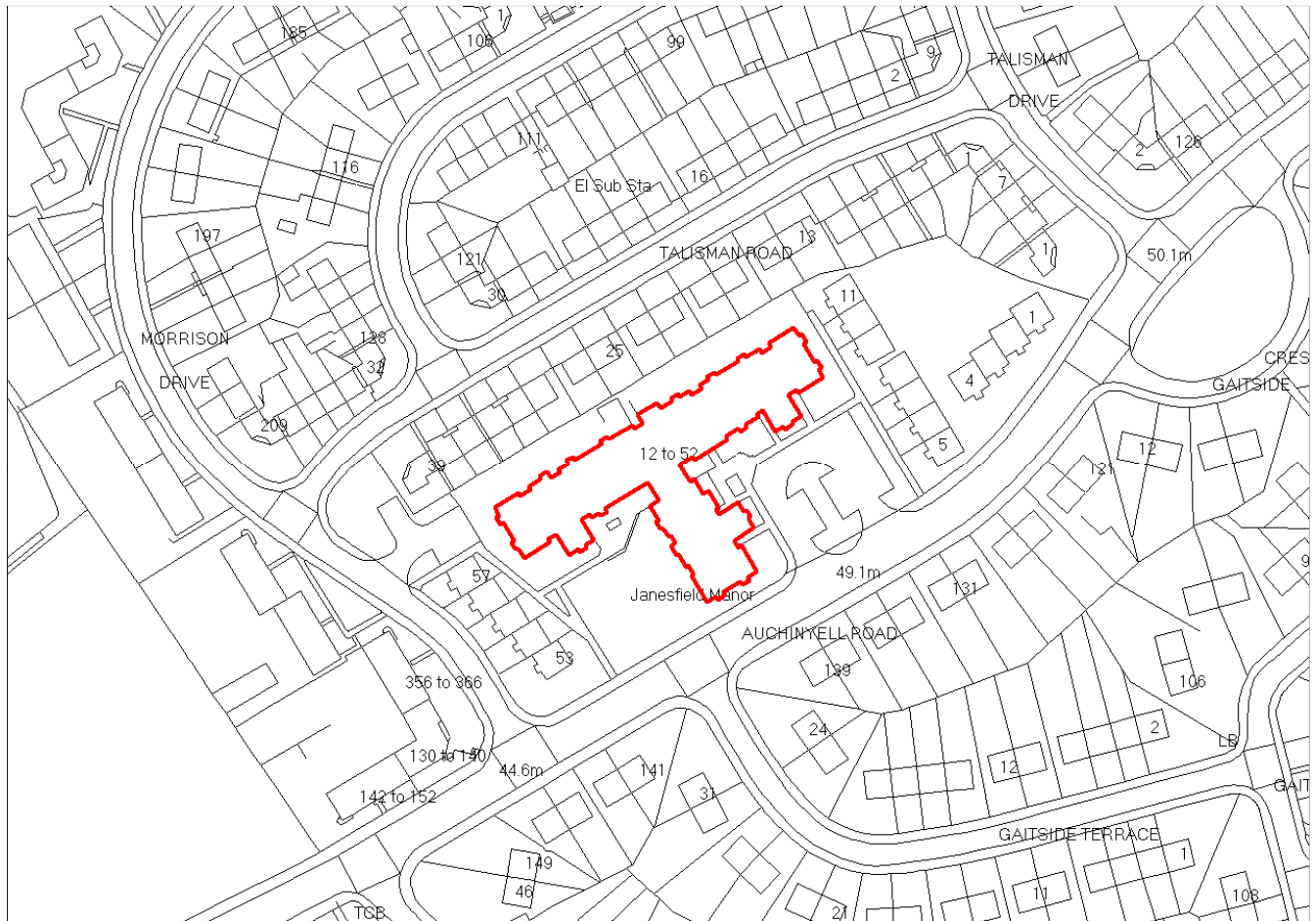
Advert :

Advertised on:

Committee Date: 18 April 2013

Community Council : No response

received



RECOMMENDATION:
Approve subject to conditions

DESCRIPTION

The site is a purpose built, Council owned sheltered accommodation block. The building is a two storey modern premises built in a T shape with the main access facing on to the car park which is accessed from Auchinyell Road. The surrounding area comprises terraced bungalows and two storey terraces and three storey flatted accommodation, with mature amenity space surrounding these. The application relates to the ex warden's flat within the sheltered accommodation block. It is located on the southern side of the building facing the car park, and it split over two levels.

RELEVANT HISTORY

There is no relevant planning history for this site

PROPOSAL

The proposal relates to change of use of the warden's flat to a social care and wellbeing hub. The Hub would be used as a base for staff from Aberdeen City Council and Health Professionals such as occupational therapists, district nurses, podiatrists and carers, to go out into the community. They would also be used to provide information to tenants of the complex and leaflet displays. The Hub would never have more than two staff at any one time, with the exception of meetings where there would be five or six staff present. The Hub would be open from 8am to 5pm Monday to Friday. The hub would not be open to the general public apart from residents in the complex.

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?130162>

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

REASON FOR REFERRAL TO SUB-COMMITTEE

The application has been referred to the Sub-committee because it was made by Aberdeen City Council. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – Response received – no observations

Environmental Health – Response received – no observations

Enterprise, Planning & Infrastructure (Flooding) - Response received – no observations

Community Council – No response received

REPRESENTATIONS

No letters of objection have been received.

PLANNING POLICY

Aberdeen Local Development Plan

Policy H1: Residential

Within existing residential areas, proposals for non-residential uses will be refused unless:

They are considered complementary to residential use; or

It can be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity.

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.

Legal Challenge

Tesco Stores Ltd has submitted an appeal to the Supreme Court against the decision of the Inner House of the Court of Session to refuse its application to quash the Aberdeen Local Development Plan. Tesco has been unsuccessful regarding both an interim suspension and a full appeal in front of three judges in the Inner House and the Council has received robust advice from Counsel that the reasoning of the Inner House is sound and there are strong grounds to resist the appeal.

Planning applications continue to be determined in line with the Aberdeen Local Development Plan but the appeal is a material consideration and the Council has to take into account the basis for the legal challenge when determining applications. It should also be pointed out that the Court indicated that, even if Tesco's arguments had found favour, it would have been inclined to quash the plan only in so far as it related to Issue 64 (Allocated Sites: Woodend...Summerhill... etc.) and that it would be disproportionate to quash the whole plan.

This evaluation has had regard to and taken into account the legal challenge. None of the policies or material considerations which apply to this application would be affected by the terms of Tesco's challenge. The recommendation would be the same if the application were to be considered in terms of the 2008 Aberdeen Local Plan.

Principle of Development

The site is located within a residential zoning and as such non-residential applications are required to be complementary to residential use or would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity. It is on this principle that the application is to be assessed.

Impact on amenity

The hub would be used as a base for staff to go out into the community; and would provide information to those residing within the sheltered housing

accommodation. The hub would house two members of staff at any one time and would be used from 8am to 5pm Monday to Friday. When meetings are held the staff number would increase to five or six.

The proposed opening hours of the social care and wellbeing hubs are considered to be acceptable. The proposed change of use would not lead to an increase in the volume of people accessing the premises, nor is it expected there would be any increase in noise levels and the proposed opening hours are not considered anti-social. The proposed use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity. The staff based at the hub would provide health related services to the local community, and would be available to the residents in the sheltered housing block which is considered complementary to the residential use.

The proposal therefore accords with Policy H1: Residential of the Aberdeen Local Development Plan.

RECOMMENDATION

Approve subject to conditions

REASONS FOR RECOMMENDATION

The proposed change of use from a warden's flat to a social care and wellbeing health hub would not have a conflict with, or cause any nuisance to, the enjoyment of existing residential amenity. The proposed opening hours are not anti-social; there would be no increase in the volume of people accessing the site and there would be no significant increase in noise from the premises. The use could also be considered complementary to the residential use. There have been no comments received from the Roads Projects Team regarding parking

CONDITIONS

it is recommended that approval is granted subject to the following conditions:-

(1) that, except as the Planning Authority may otherwise agree in writing, the social care and wellbeing hub shall not open outwith the hours of 8.00am to 5.00pm Monday to Friday - in the interests of residential amenity.

Dr Margaret Bochel

Head of Planning and Sustainable Development.

ABERDEEN CITY COUNCIL

COMMITTEE	Development Management Sub-Committee	
DATE	18 April 2013	
LEAD HEAD OF SERVICE Margaret Bochel		DIRECTOR Gordon McIntosh
TITLE OF REPORT	Planning Digest	
REPORT NUMBER	EPI/13/077	

1. PURPOSE OF REPORT

- 1.1 To advise members of the decision of Scottish Ministers regarding the offshore wind development centre at Aberdeen Bay, and to highlight the Development Management Customer Charter.

2. RECOMMENDATION

- 2.1 To note the report.

3. FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications arising.

4. OTHER IMPLICATIONS

- 4.1 The report is for information and does not have any implications for any legal, resource, personnel, property, equipment, sustainability and environmental, health and safety and/or policy implications and risks.

5. BACKGROUND/MAIN ISSUES

CONSENT GRANTED BY THE SCOTTISH MINISTERS TO CONSTRUCT AND OPERATE THE EUROPEAN OFFSHORE WIND DEPLOYMENT CENTRE (EOWDC) ELECTRICITY GENERATING STATION, ABERDEEN BAY, APPROXIMATELY 2 km EAST OF BLACKDOG, ABERDEENSHIRE

Scottish Ministers have now granted consent for the offshore wind deployment centre. Many views for and against the development related to its economic impact, renewable energy and the offshore wind sector overall. Beyond these largely general views, the key

reasons for opposition related to visual impacts and associated impacts on tourism and recreation.

Although it is accepted that the development would have an effect on the landscape and seascape as viewed from Aberdeen, these impacts are not deemed by the Scottish Ministers to be unacceptable.

It is the Scottish Ministers' planning judgement that, whilst accepting that there would be some adverse visual impact resulting from the location of the development on the Menie Estate Golf and Resort Complex and golf courses at Murcar and Royal Aberdeen, and more generally on the seascape from the Aberdeenshire Coast, when weighing up that material consideration with the considerations numbers (1) to (8) mentioned in the section below in relation to the planning judgement on the proposed location of the development, it is in their view an appropriate judgement nevertheless to grant consent to the development in its proposed location.

1. The benefits that the development would be expected to bring in terms of contribution to the development of the renewable energy sector;
2. The need to achieve target for renewable energy;
3. The economic and social importance of Scotland's renewable energy sector;
4. The specific benefits of the development being the first demonstrator wind turbine to be used by several companies which would provide a facility for testing in real conditions and assist in driving down the costs of developing wind turbines.
5. The role that the development can play strategically in this context;
6. The clear advantages that the proposed location offers;
7. The potential to unlock a variety of economic benefits for Aberdeen and Scotland in the future;
8. The evidence that elsewhere in the UK golf courses co-exist with offshore wind farm development.

The decision letter can be viewed at

<http://www.scotland.gov.uk/Topics/marnie/Licensing/marine/scoping/EOWDC>

Development Management Customer Charter

This Charter has been developed as a result of our on-going focus on improving the quality of customer service within the Development Management and Masterplanning Team. Members may also be aware that we are working towards achieving the Customer Service Excellence Award and the Charter will be an important element on our path towards the award.

The Customer Charter focuses on the standards we aim to meet and will be available on the City Council website and in leaflet form. We will also be reporting on the performance targets contained within the Charter.

Members should note that a Development Management Charter was on the agenda for the Development Management Sub-Committee in August 2011. This document has a

wider purpose and contains more information on what happens at each stage of the planning process. We will be updating this document shortly and performance targets contained therein are superseded by those within the Customer Charter below.

The Enforcement Charter also contains a number of performance targets and these are similarly superseded by targets in the Customer Charter. The Enforcement Charter will be revised in the next few months.

Development Management Customer Charter

The aims of this Customer Charter are to:

1. Tell you what we do
2. Outline the level of service we will provide, including our **Performance Targets**
3. Let you know what to do if we fail to meet your expectations

1. What we do

We are part of **Planning and Sustainable Development**. Together with the other teams within our service, we are the planning authority for Aberdeen City. That means:

- We coordinate masterplans for large areas of new development with the aim of achieving high quality, sustainable mixed use communities. Masterplans are subject to public consultation and once agreed by the Council are used as a basis for decisions on planning applications. They are available on the [Supplementary Guidance page](#) of our website.
- We provide pre-application advice (verbally and in writing) on proposals for development.
- We make decisions on applications for planning permission and related applications (such as listed building consent).
- We have powers to enforce planning controls and we do so where we believe there is a public interest. For more information on Enforcement, please read the [Planning Enforcement Charter](#).
- We provide information and advice to neighbours and other interested parties affected by our decisions.
- We maintain information on Listed Buildings and Conservation Areas and provide technical and policy advice on historic building conservation matters.

In making planning decisions we take many matters into account, primarily:

- Policies in the development plan, government policy and supplementary guidance. These cover many matters, including:

- Urban design and placemaking
- Impact on the historic and natural environment
- Traffic and transportation
- Impact on residential properties
- We also take into account:
 - Interests of the community and effect on neighbours
 - The contribution to sustainable economic development
 - Needs of the applicant

Further information related to submitting a planning application and a glossary, defining terms used in this Charter and in the planning process, may be found within the Development Management User Guide ([hyperlink needed](#)).

Information about the masterplanning process may be found within [The Aberdeen Masterplanning Process](#)

Our performance over the last year is presented in the [Planning Performance Framework](#).

Detailed advice on the professional planning service is on the [planning pages of our website](#).

These are available on our website (see Useful Links section) and paper versions by post or at our Marischal College reception.

2. The Level of Service we will provide

We will

- **Treat you politely, fairly and not discriminate because of race, religion, age, gender, sexuality or disability**
- Provide you with a named Officer to ensure continuity of service and advice
- **Listen to your views and give feedback when you wish it**
- **Have dedicated teams dealing with general planning applications, householder applications, enforcement and masterplanning, design and conservation.**

Telephone calls:

Performance Indicator	Target
Telephone calls answered within 6 rings	85%
Telephone message returned by the end of the next working day	85%

We will also

- Provide you with a specific officer's name, direct telephone contact number and email address after initial contact is made
- Only transfer calls if we can find the correct person to answer your enquiry.

Letters, faxes and e-mails:

Performance Indicator	Target
Response to written correspondence received within 15 working days	85%
Response to emails within 10 working days	85%

We will also

- Advise you of any action to be taken following an investigation into a breach of planning control
- Ensure our responses are written following the principles of plain English and address all of the issues raised.

Visiting us at Marischal College:

Visitors to reception with an appointment seen by an officer within 5 minutes of their appointment time	85%
Visitors to reception without an appointment seen by an officer within 10 minutes	85%

- You will find the reception area is clean, tidy and accessible
- Our staff will wear identification badges at all times
- A member of staff will be available to answer planning queries during Marischal College opening times, although it is recommended that appointments are made with the relevant officer
- We will provide a private meeting room if possible, and in all cases if you arrange an appointment in advance

Submission of masterplans, planning applications & pre-application enquiries:

- We will provide advice as to whether planning permission or other related permissions are required and whether masterplans are required (for larger sites).
- We will provide up-to-date guidance on the planning process on our website including links to application forms, fees and the on-line application system (e-planning).

- For more complex applications and masterplans, if required, we will attend joint meetings with other interested bodies such as, our Transportation Team, Scottish Environment Protection Agency, Environmental Health, Historic Scotland and others. This will enable discussions with relevant statutory bodies at the initial stages in the process.
- We will agree a timetable and process for your masterplans through to Committee, including receipt of our comments and deadlines
- For major applications, we encourage you to enter into a processing agreement with us, whereby you, the Council and other parties agree timescales for submission of information and stages of the application process.
- If we are unable to meet the target timescale for determination of your application or masterplan we will contact you to explain the reason and to let you know a revised timescale.
- You can check progress by telephone or in person, planning applications can also be tracked on our website.

How do we perform?

- We will [publicise our performance](#) in dealing with applications against our targets and explain how we hope to improve.
- We will regularly monitor our performance against the targets set out in this Charter, publicise the results and explain how we hope to improve.

How can we improve?

- To help us improve our services please complete our Development Management [customer satisfaction survey](#)
- See our planned improvements described within [The Planning Performance Framework](#)

3. If we fail to meet your expectations

People often have differing opinions about planning decisions. For planning applications the applicant has the right of appeal where permission is refused. How to appeal is described on the planning application acknowledgement letter and decision letter relating to your application. There is no right of appeal for non-applicants.

You may appeal against non-determination if your application is not determined within 2 months (smaller “local” applications) or 4 months (larger “major” developments) although it is always advisable to contact the case officer to discuss timescales for determination if you are considering this route.

If you would like to make a complaint about how we have followed our procedures and/or failed to comply with the levels of service set out in this Charter, the following course of action is recommended:

Please contact the officer dealing with the application, masterplan or enforcement to discuss your complaint in the first instance.

If you need to find out who to contact please telephone our general enquiries number below or email the address shown below and your complaint will be directed to the appropriate person.

If you are not satisfied with the response to the complaint please contact the officer's line manager.

If you are still not satisfied your complaint will be dealt with in accordance with the [Council's Corporate Complaints Procedure](#). This is also available on paper at Marischal College.

How to contact us

Our website:

www.aberdeencity.gov.uk/planning_environment/planning_and_environment

Email: PI@aberdeencity.gov.uk

General enquiries telephone number: (01224) 523470

Our address:

Development Management,
Planning and Sustainable Development Service,
Business Hub 4,
Ground Floor North,
Marischal College,
Aberdeen AB10 1AB

Development Management Manager: **Daniel Lewis**

Head of Service: **Dr Margaret Bochel**

Opening Hours:

Monday – Friday 8.30 am – 5.00pm except for public holidays

USEFUL LINKS

Aberdeen City Council website – for information relating to planning
http://www.aberdeencity.gov.uk/planning_environment/planning/planning_sustainable_development/pla_planning_home_page.asp

Aberdeen City Council Corporate Complaints procedure:

http://www.aberdeencity.gov.uk/council_government/feedback_complaints/crc_complaints.asp

E-planning for on-line applications:
<https://eplanning.scotland.gov.uk/WAM/>

Scottish Government Planning - for legislation:
<http://www.scotland.gov.uk/Topics/Built-Environment/planning>

Historic Scotland – for advice on listed buildings and conservation areas:
<http://www.historic-scotland.gov.uk/historicandlistedbuildings>

6. IMPACT

The Scottish Government has stated that an effective planning service is fundamental to achieving its central purpose of sustainable economic growth. As such the information in this report relates to a number of Single Outcome Agreement Outcomes:

- 1 - We live in a Scotland that is the most attractive place for doing business in Europe;
- 2 - We realise our full economic potential with more and better employment opportunities for our people;
- 10 - We live in well-designed, sustainable places where we are able to access the amenities and services we need;
- 12 - We value and enjoy our built and natural environment and protect it and enhance it for future generations;
- 13 - We take pride in a strong, fair and inclusive national identity; and
- 15 - Our public services are high quality, continually improving, efficient and responsive to local people's needs.

Public – The report may be of interest to the development community and certain matters referred to in the report may be of interest to the wider community.

7. BACKGROUND PAPERS

None.

8. REPORT AUTHOR DETAILS

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