

## DEVELOPMENT MANAGEMENT SUB COMMITTEE

ABERDEEN, 13 June 2013. Minute of Meeting of the DEVELOPMENT MANAGEMENT SUB COMMITTEE. Present:- Councillor Milne, Convener; and Councillors Boulton, Cormie, Donnelly (as substitute for Councillor Thomson), Finlayson, Grant, Greig (as substitute for Councillor Delaney), Jaffrey, Lawrence, McCaig, Jean Morrison MBE and Samarai (as substitute for Councillor MacGregor).

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

<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=348&MId=2560&Ver=4>

### ANNOUNCEMENT

1. The Sub Committee heard from the Convener who advised that item 2.2 on the agenda (Woodbank House, North Deeside Road) had been withdrawn and would be considered at a future meeting.

### MINUTE OF MEETING OF THE DEVELOPMENT MANAGEMENT SUB COMMITTEE OF 16 MAY 2013

2. The Sub Committee had before it the minute of its previous meeting of 16 May 2013.

**The Sub Committee resolved:-**  
to approve the minute.

### PLOT 1, ABERDEEN INTERNATIONAL BUSINESS PARK, DYCE DRIVE - 130350

3. 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 approval of matters specified in condition 1 (access, design, layout) of A4/1644 in relation to the erection of a four storey office development and ancillary facilities, car parking and landscaping, subject to the following conditions:-

- (1) That the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, laid-out and demarcated in accordance with drawing KD-G(90)XXXX-007(03) 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;
- (2) That the development hereby approved shall not be occupied unless the cycle and motorcycle parking scheme detailed on drawings KD-G(90)XXXX-007(03) and

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KD-G(90)XXXX-011(02) (or such other plan as may subsequently be approved in writing by the planning authority for the purpose) has been installed in complete accordance with the said scheme. Prior to the scheme's implementation further details of the exact specification of the cycle parking and motorcycle anchor points shall be submitted to and agreed by the planning authority; (3) That the development hereby approved shall not be occupied unless all hard landscaping comprised in the approved scheme of landscaping (drawings 102-L04A, 102-L05A, 102-L06A, 102-L07A, 102-L08A, 102-L09A and 102-L23A or such other plan as may subsequently be approved in writing by the planning authority for the purpose) has been implemented; and (4) That all planting, seeding and turfing comprised in the approved scheme of landscaping (drawings 102-L04A, 102-L05A, 102-L06A, 102-L07A, 102-L08A, 102-L09A and 102-L23A or such other plan as may subsequently be approved in writing by the planning authority for the purpose) 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.

### **The Sub Committee resolved:-**

- (i) to note, in relation to the access road from the traffic signal junction with Dyce Drive to the shared surface, that the Council would require the road to be of adoptable standard, however there was no guarantee the Council would adopt it; and
- (ii) otherwise to approve the recommendation.

### **24-28 BELMONT STREET - 130377**

4. 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 a change of use for the building from Class 2 (financial, professional and other services) to a mix of Class 1 (retail) and Class 3 (café/snack bar/chocolate workshop).

### **The Sub Committee resolved:-**

to approve the recommendation.

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**THE ACADEMY, 40 BELMONT STREET - 130255**

5. 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 change of use for the units concerned from Class 1 (retail) to Class 3 (food and drink) to allow the site to be used as two licenced restaurant units, subject to the following conditions:-

- (1) That no unit shall be occupied unless a scheme showing the proposed means of filtering, extraction and dispersal of cooking fumes from the premises for that unit 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; and (2) That no unit shall be occupied unless a scheme for the provision, within the application site, of refuse storage and disposal for that unit, has been submitted to, and approved in writing by, the planning authority and such scheme has been implemented and operational.

**The Sub Committee resolved:-**  
to approve the recommendation.

**UNION TERRACE GARDENS, UNION TERRACE - 130238**

6. 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 variation to condition 1 of the original planning permission (planning reference 120427) to allow the temporary café cabin building and seating area to be onsite for a further five years, subject to the following conditions:-

- (1) That the temporary building and associated seats hereby granted planning permission shall be removed from the site on or before the expiry of a final period terminating on 13/06/2018 and shall not remain on the site thereafter; and (2) That following the expiry of the five year period hereby granted, the approved development must be removed and the site shall be made good, in accordance with a scheme to be submitted and approved in writing by the planning authority within one month of such removal.

The Convener moved, seconded by Councillor Boulton:-

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

Councillor Donnelly moved as an amendment:-

That the application be approved, subject to conditions, on the basis of an extension of one year rather than five years.

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

**The Sub Committee resolved:-**

to approve the recommendation.

**BUCKSBURN PRIMARY SCHOOL, INVERURIE ROAD, BUCKSBURN - 130449**

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 the erection of one single storey and one two storey classroom accommodation units, subject to the following conditions:-

(1) That the development shall not be brought into use unless details of arrangements to ensure that the access road is kept clear of parked vehicles during the construction phase are submitted to and approved in writing by the planning authority and subsequently in operation; (2) That the development shall not be brought into use unless there has been provided cycle parking in accordance with a scheme to be submitted to, and approved in writing by, the planning authority; (3) That the development shall not be brought into use unless there has been submitted to, and approved in writing by, the planning authority, a finalised travel plan. The proposals in the travel plan shall be fully implemented, monitored and amendments be made to address any issues arising; and (4) That development shall not take place unless there has been submitted to, and approved in writing by the planning authority, a scheme for surface water drainage for the proposed temporary buildings and associated hard surfaced areas. The development shall not be brought into use unless the plans as agreed have been fully implemented on site.

**The Sub Committee resolved:-**

to approve the recommendation.

**MORNINGSIDE ROAD, MANNOFIELD - 130473**

8. 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 retrospective planning permission for the erection of a cricket scoreboard within the grounds of Aberdeenshire Cricket Club.

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The Sub Committee was addressed by Councillor Yuill, one of the local members for the area, who expressed constituents' concerns regarding the application.

The Convener moved, seconded by Councillor Donnelly:-

That the application be approved subject to the following conditions:-

(1) That the scoreboard hereby approved shall not be used unless, within three months of the date of this planning permission, there has been submitted to and approved in writing for the purpose by the planning authority a detailed scheme of landscaping for the southern part of the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting. The required planting shall be undertaken in the next available planting season; and (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.

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

That the application be refused on the grounds that the visual impact of the scoreboard was detrimental to the existing residential amenity, which was contrary to policy H1 (Residential Areas) of the Local Development Plan, and to instruct officers to undertake enforcement action accordingly.

On a division, there voted:- for the motion (9) - the Convener; and Councillors Boulton, Cormie, Donnelly, Grant, Lawrence, McCaig, Jean Morrison and Samarai; for the amendment (3) - Councillors Finlayson, Greig and Jaffrey.

### **The Sub Committee resolved:-**

- (i) to adopt the motion; and
- (ii) to instruct the Head of Planning and Sustainable Development to write to Aberdeenshire Cricket Club expressing the Sub Committee's concern regarding the way in which the club had erected the scoreboard without planning permission.

### **43 CLIFTON LANE - 121644**

9. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

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That the Sub Committee approve the application in respect of planning permission for the demolition of the existing structure and replacement with a two storey building for a proposed sports gym, subject to the following condition:-

(1) That the development hereby approved shall not be occupied unless the car parking areas and cycle storage facilities hereby granted planning permission have been constructed, laid out, demarcated and provided in accordance with drawing no. 821-01P 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 or storage of bicycles ancillary to the development and use thereby granted approval.

**The Sub Committee resolved:-**  
to approve the recommendation.

### **UNIT 4A-4B, SITE 48 GREENWELL ROAD, EAST TULLOS INDUSTRIAL ESTATE - 121270**

**10.** 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 workshop extension and recladding works to the existing building, subject to the following conditions:-

(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. 13 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; (2) That no development shall take place unless the long stay cycle parking shown on drawing 01 rec C and motorcycle parking facilities as shown on drawing no. 13 or other such drawing as approved for the purpose in writing by the planning authority for this purpose have been provided; (3) That no development shall take place unless details of the short stay cycle stands as shown in drawing no. 13, or other such drawing as approved in writing by the planning authority for this purpose, has been submitted to, and approved in writing by the planning authority, and thereafter implemented in full accordance with the said scheme; and (4) That the development hereby approved shall not be occupied unless a scheme showing pedestrian demarcation leading from the car parking spaces within the rear yard area to the rear access door within the proposed extension hereby granted planning permission has been submitted and approved in writing by the planning authority.

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**The Sub Committee resolved:-**

to approve the recommendation.

**SITE 54, BRIDGE OF DON INDUSTRIAL ESTATE - 130521**

**11.** 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 alterations to the car park and drive thru lane, the installation of customer order displays, an extension to the restaurant and the creation of a corral area, 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; and (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.

**The Sub Committee resolved:-**

to approve the recommendation.

**PINEWOOD / COUNTESSWELLS ROAD / HAZLEDENE - 130573**

**12.** 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 temporary sales pod for the associated residential development, subject to the following conditions:-

(1) That the temporary building hereby granted planning permission shall not remain on the site after a period of two years expiring on 13 June 2015; (2) That the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, drained, laid-

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out and demarcated in accordance with Drawing No. APL - 100 of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of cars ancillary to the development and use thereby granted approval; (3) That prior to the commencement of development a detailed scheme shall be submitted to, and approved in writing by the planning authority, which provides details of alterations to the central reservation of the turning area as necessary to allow vehicles to pass stationary buses in a safe manner, these works shall be agreed and implemented prior to the sales pod coming into use; (4) That no development shall take place pursuant to this permission, nor shall the sales complex be occupied, unless a scheme to ensure maintenance of continuous public access to Core Path 65 from Countesswells Avenue, during the construction and operation of the development hereby approved, has been submitted to and approved in writing by the planning authority. Pedestrian access to the core path shall thereafter be maintained in accordance with the approved scheme and any diversionary path works/signage required on adjacent land under the applicant's control shall be installed prior to erection of the sales pod; (5) That no development shall take place unless a plan showing those trees to be removed and those to be retained and a scheme for the protection of all trees to be retained on/adjacent to 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; and (6) That no materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in the aforementioned scheme of tree protection without the written consent of the planning authority and no fire shall be lit in a position where the flames could extend to within five metres of foliage, branches or trunks.

The Convener moved, seconded by Councillor Donnelly:-

That the application be approved in accordance with the recommendation contained within the report, subject to condition (4) being on the proviso that the core path had to be reinstated, and an additional condition regarding Sustainable Urban Drainage Systems.

Councillor Greig moved as an amendment:-

That the application be refused on the grounds that the proposal was an unacceptable commercial development on a Greenfield site disrupting the core path network which would result in a loss of amenity.

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

**The Sub Committee resolved:-**

to approve the terms of the motion.



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### **BANNERMILL DEVELOPMENT, BANNERMILL PLACE - 130020**

**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 installation of pedestrian and vehicular access gates on the following grounds:-

(1) The proposed development, by restricting access to established routes, would be to the detriment of pedestrian permeability and would discourage sustainable modes of travel, contrary to policies D3 (Sustainable and Active Travel) and NE9 (Access and Informal Recreation) of the Aberdeen Local Development Plan, the Council's published 'Transport and Accessibility' supplementary guidance and paragraphs 38 and 39 of Scottish Planning Policy. The loss of these convenient, established pedestrian routes is considered to be to the detriment of the existing residential amenity, contrary to policy H1 (Residential Areas) of the Local Development Plan; and (2) The proposed enclosures are of traditional, decorative design and styling that is inconsistent with the contemporary design of the Bannermill development, and fails to demonstrate due regard for its context and make a positive contribution to its setting, as required by policy D1 (Architecture and Placemaking) of the Aberdeen Local Development Plan.

**The Sub Committee resolved:-**

to approve the recommendation.

### **PLANNING DIGEST - EPI/13/107**

**14.** The Sub Committee had before it a report by the Head of Planning and Sustainable Development which advised members of recent appeal decisions.

**The report recommended:-**

that the Sub Committee note the outcome of the appeal decisions.

**The Sub Committee resolved:-**

to approve the recommendation.

### **PLANNING ENFORCEMENT ACTIVITY - EPI/13/096**

**15.** The Sub Committee had before it a report by the Head of Planning and Sustainable Development which advised members of the planning enforcement work that had been undertaken from 1 October 2012 to 31 March 2013.

**The report recommended:-**

that the Sub Committee note the content of the report.

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**The Sub Committee resolved:-**  
to approve the recommendation.

**TRAVEL PLANS - EPI/13/103**

**16.** Reference was made to Article 5 of the minute of its meeting of 17 January 2013, when the Sub Committee requested officers to review the Green Transport Plans requirements, including how effective the plans were and how to implement them. The Sub Committee had before a report by the Head of Planning and Sustainable Development in response to the aforementioned request.

**The report recommended:-**  
that the Sub Committee -

- (a) note the current policy context for Travel Plans;
- (b) note the existing Council processes and expectations for Travel Plans;
- (c) note how effective Travel Plans were when implemented correctly;
- (d) note the current aspects of monitoring and enforcing Travel Plans; and
- (e) note that officers were currently preparing further guidance on Travel Plans as part of the Local Development Plan process.

**The Sub Committee resolved:-**  
to approve the recommendations.  
**- RAMSAY MILNE, Convener.**