

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 19 March 2015. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Milne, Convener; Councillor Finlayson, Vice Convener; and Councillors Boulton, Corall, Cormie, Crockett, Greig, Jaffrey, Lawrence, MacGregor (as substitute for Councillor Dickson), Malik, Jean Morrison MBE, Jennifer Stewart, Stuart and Thomson.

The agenda and reports associated with this minute can be found at:-
<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=348&MIId=3467&Ver=4>

Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.

MINUTE OF MEETING OF PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 12 FEBRUARY 2015

1. The Committee had before it the minute of its previous meeting of 12 February 2015.

The Committee resolved:-

to approve the minute as a correct record.

MINUTE OF MEETING OF PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS) OF 18 FEBRUARY 2015

2. The Committee had before it the minute of the Planning Development Management Committee (Visits) of 18 February 2015.

The Committee resolved:-

to approve the minute as a correct record.

AGENDA ORDER

3. The Convener advised that item 3.3 (10 Hermitage Avenue – Sub-division of house plot and erection of new house) had been withdrawn.

THE CHESTER HOTEL, 59-63 QUEENS ROAD - 140990

4. The Convener advised that item 3.5 (The Chester Hotel – Formation of balcony for external dining area – retrospective planning permission) had been withdrawn. The Committee noted the concerns raised by the residents of neighbouring properties in

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relation to the noise and disturbance when the balcony was in use and agreed that an enforcement notice be served to ensure that the use of the external roof terrace ceased until formal planning permission was in place for any such use.

The Committee resolved:-

- (i) to note that the application had been withdrawn; and
- (ii) to request that an enforcement notice be served instructing that all use of the external roof terrace cease until such time as formal planning permission was in place for any such use.

FRIARSFIELD ROAD / KIRK BRAE, LAND TO THE NORTH, CULTS (PART OF OP51) - 140272

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

That the Committee express a willingness to approve the application for planning permission for a residential development of 107 private dwellings, 12 affordable apartments and ancillary works, subject to the conclusion of a legal agreement to secure (a) delivery of 10% on site affordable housing units and a commuted sum for 15% affordable housing units; (b) developer contributions towards primary and secondary education, sport and recreation and healthcare; and (c) financial contributions towards the delivery of the Link Road and restriction to no more than 160 units on the wider Friarsfield Opportunity Site (OP51) until the completion of a new link road from Kirk Brae to Craigton Road, and subject to the following conditions:-

- (1) That no development pursuant to the planning permission hereby approved shall take place unless a detailed delivery statement for the entire Link Road has been submitted for the further written approval by the Planning Authority – in the interests of promoting sustainable transport; (2) that no development pursuant to the planning permission hereby approved shall take place unless there has been submitted to and approved in writing by the planning authority a detailed design for the section of the Link Road which runs through the application site. The plans shall include details of junctions, cycle/pedestrian paths, laybys and bus stops – in the interests of promoting sustainable transport; (3) that no development pursuant to the planning permission hereby approved shall take place unless details of a controlled pedestrian crossing adjacent to Kirkbrae Avenue, footway on Kirk Brae and associated linkage to that footpath within the application site, have been submitted for the further written approval of the Planning Authority and thereafter no house on the west side of the Link Road shall be occupied unless said footpaths and crossing are fully operational – in the interests of pedestrian safety and safer routes to school; (4) that no development shall take place within the application site unless a full programme of works relative to the realignment of the core path along the eastern boundary of the site (to include but not limited to time lines for path closures and undertaking work, specification of path, soft and hard landscaping, and protective fencing during construction stage) has been

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submitted to and approved in writing by the planning authority. Thereafter, the path shall be implemented in full accordance with the approved details and be available for public use prior to, and during, any other construction works within the application site – in order to ensure the use of the core path is disrupted as little as possible and upgraded to the best possible standard; (5) that no development pursuant to the planning permission hereby approved shall take place unless an updated SUDS scheme has been submitted for the written approval of the planning authority, in consultation with SEPA, and thereafter, no individual house shall be occupied unless the drainage required for the house has been carried out in accordance with the approved scheme - to ensure adequate protection of the water environment from surface water run-off; (6) that no development pursuant to the planning permission hereby approved shall take place unless the mitigation measures as identified in the Ecological Assessment (dated September 2013) by Nigel Rudd Ecology have been taken account of and implemented in their entirety – in the interests of safeguarding the fauna and habitats on-site; (7) that no development pursuant to the planning permission hereby approved shall take place unless until a site specific Construction Environmental Management Plan (CEMP) has been submitted and approved in writing by the Planning Authority in consultation with SEPA, SNH or other agencies as appropriate. All works on site must be undertaken in accordance with the approved CEMP unless otherwise agreed in writing with the Planning Authority. The CEMP must address the temporary measures proposed to deal with surface water run-off during construction and prior to the operation of the final SUDS which shall be implemented for the duration of works on site and the following issues (a) surface water management; (b) site waste management; and (c) buffer strips - In order to minimise the impacts of necessary demolition/construction works on the environment; (8) that no development pursuant to the planning permission hereby approved shall take place unless details of the protection and enhancement of the water course and associated buffer strip, including access for maintenance, has been submitted to and approved in writing by the planning Authority consultation with SEPA. All works on site must be undertaken in accordance with the approved details unless otherwise agreed in writing with the Planning Authority – in the interests of nature conservation and safeguarding the fauna and habitats on-site; (9) that no development pursuant to the planning permission hereby approved shall take place unless a full site waste management plan for the processing of construction and demolition waste has been submitted to and approved in writing by the planning authority. No work shall be carried out unless in accordance with the approved plan unless the planning authority has given written consent for a variation - to ensure that waste on the site is managed in a sustainable manner; (10) that no development pursuant to the planning permission hereby approved shall take place unless a scheme of street and footpath lighting has been submitted to, and approved in writing by the planning authority. No individual house shall be occupied unless the lighting relative to that part of the site (e.g. east or west of the Link Road) has been implemented in accordance with the approved plans unless otherwise agreed in writing - in the interests of public safety, protecting residential amenity and protecting wildlife; (11) that no

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development pursuant to the planning permission hereby approved shall take place unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of hard and soft landscaping for the site, which scheme shall include (a) the materials to be used for all hard surfaces including footpaths; (b) detailed specification of children's play equipment; (c) 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 (d) 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; (12) that no development pursuant to this planning permission shall take place, nor shall any part of the development hereby approved be occupied, unless there has been submitted to and approved in writing by the Planning Authority, a detailed scheme of site and plot boundary enclosures for the entire development hereby granted planning permission and to include details of the access into the agricultural field adjacent to plots 101 & 102 and details of the new dry stone dykes. No individual house shall be occupied unless the enclosure relative to that house has been implemented in accordance with the approved plans - in order to preserve the amenity of the neighbourhood (13) that no development pursuant to the planning permission hereby approved shall take place unless further details and samples of 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 unless otherwise agreed in writing- in the interests of visual amenity; (14) that no development pursuant to the planning permission hereby approved shall take place unless there has been submitted to and approved in writing a detailed Residential Travel Pack, 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 - in order to encourage more sustainable forms of travel to the development; (15) that no development pursuant to the planning permission hereby approved shall take place unless there has been submitted to and approved in writing, visibility splays for each junction within the development, which shall include details of the bin collection points and any hard and soft landscaping within the line of sight – in the interests of road safety; (16) that no development pursuant to the planning permission hereby approved shall take place unless plot specific site sections have been submitted for the further written approval of the Planning Authority. Sections shall also be provided for the proposed access into the agricultural field between plots 101 & 102 and the usable open space as shown on drawing L(--)-007 rev B– in order to better understand the site levels; (17) that no development pursuant to the planning permission hereby approved shall take place unless further details are submitted for the written approval of the Planning Authority relative to the sub-station. Such details shall include size and colour of unit, along with the proposed access and servicing arrangements and screening – in the interests of visual amenity; (18) that no residential unit within the development hereby approved shall be

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occupied unless a phasing plan for the entire development, which shall include timing of delivery of affordable units, provision of footpath and road linkages to the adjacent sites and provision of open space and play park, has been submitted for the further written approval of the Planning Authority and thereafter the construction is undertaken in accordance with the plan unless the Council provide written agreement to the contrary – in the interests of the ensuring pedestrian and vehicular connectivity, facilitating the future Link Road in accordance with the Development Framework; (19) that no dwellinghouse hereby granted permission shall be occupied unless the Proposed Playground Area as indicated on plan no L(--)-006 rev F and L(--)-002 rev L is completed, laid out and equipped in accordance with a detailed scheme, including sections through the land north-south and a programme of future maintenance, which has been submitted to and approved in writing by the Planning Authority. The approved 'Play Area' shall not be thereafter used for any purpose other than a Play Area – in order to ensure the timeous and future provision of play facilities within the site; (20) that no part of the development hereby approved shall be occupied unless a plan and report illustrating appropriate management proposals for the care and maintenance of all trees to be retained and any new areas of planting (to include timing of works and inspections) has been submitted to and approved in writing by the Planning Authority. The proposals shall be carried out in complete accordance with such plan and report as may be so approved - in order to preserve the character and visual amenity of the area; (21) that none of the affordable housing flats hereby granted planning permission shall be occupied unless (a) a scheme detailing cycle storage provision has been submitted to, and approved in writing by the planning authority, and thereafter implemented in full accordance with said scheme; and (b) further details of the proposed car park layout are submitted to, and approved in writing by the planning authority, and thereafter implemented in full accordance with said scheme – in the interests of road safety and encouraging more sustainable modes of travel; (22) that no part of the development hereby approved shall be occupied unless details of the zero and low carbon equipment to be incorporated into the development and predicted carbon emissions, using SAP or SBEM calculations, have been approved in writing by the planning authority and unless the equipment has been installed in accordance with those approved details - to ensure this development complies with requirement for on-site carbon emissions contained in Scottish Planning Policy (SPP) and specified in the City Council's relevant published Supplementary Planning Guidance 'Low and Zero Carbon Buildings'; (23) that no residential unit on the east or west side of the Link Road respectively shall be occupied unless the vehicular access roads and pedestrian footpaths relative to that section have been constructed to the legal boundary of the land in the applicant's ownership (even if this requires the demolition of a mutually owned wall) as shown on drawing no's L(--)-006 rev F and L(--)-002 rev L unless the planning authority has given written consent for the variation – in the interests of ensuring pedestrian and vehicular connectivity, facilitating a future link to the existing site to the east and prospective site to the west, and in accordance with the adopted Development Framework; (24) that no development, including SUDS embankments, should be constructed within the

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modelled 1 in 200 year flood envelope except indicated road infrastructure crossing the flood plain which must be built at present ground levels unless otherwise agreed in writing by the Planning Authority in consultation with SEPA – in order to limit potential flooding as a result of the proposal; and (25) that no development shall take place within the application site until the application 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.

INFORMATIVES

1. That, except as the Planning Authority may otherwise agree in writing,
 - (a) no piling work shall be carried out; and
 - (b) no construction or demolition work shall take place outwith the hours of 7.00 am to 7.00 pm Mondays to Fridays; 9.00 am to 4.00 pm Saturdays; or 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.
2. It is recommended that the CEMP is submitted at least 2 months prior to the commencement of any works on site; this is to allow the necessary agencies sufficient time to fully review the mitigation proposals to avoid any potential delays to the project moving forward.

The Convener moved, seconded by Councillor Corall:-

- (a) that the application be approved, subject to the conclusion of the legal agreement and the conditions set out in the report;
- (b) that officers be instructed to enter into discussions with the developer with a view to securing the construction of the 12 affordable housing units within the first 160 units on the wider Friarsfield Development Framework site – to ensure delivery of affordable housing should the completion of the link road not proceed; and
- (c) that officers be instructed to enter into discussions with the developer to ensure that appropriate temporary traffic calming measures were provided on Friarsfield Road until the link road was completed.

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

That consideration of the application be deferred to the next meeting of the Planning Development Management Committee to allow further discussion with the developer in relation to mitigation of the roads concerns; the production of a phasing plan; and evidence that the link road would be delivered.

On a division, there voted:- for the motion (9) – the Convener; and Councillors Corall, Cormie, Crockett, Jaffrey, Lawrence, MacGregor, Jean Morrison and Sandy Stuart; for

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the amendment (6) – the Vice Convener; and Councillors Boulton, Greig, Malik, Jennifer Stewart and Thomson.

The Committee resolved:-

to adopt the motion..

A944 PARK AND RIDE, KINGSWELLS - LINK TO PRIME FOUR - 141578

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

That the Committee approve the application for the construction of new lengths of road at the A944 Park and Ride Car Park, Kingswells, to enable alternative routes of bus access through the site, subject to the following conditions:-

- (1) That the development hereby approved shall not come into use unless the car parking areas, shared use path, crossing point, height restriction barriers and landscaping hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing No. 1/P/D5343/R/01A 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 - in the interests of public safety and the free flow of traffic; and (2) that the development hereby approved shall not come into use unless suitable measures have been put in place to promote bus only access along the new length of road. Prior to commencement of work on site, details of such measures shall be submitted for the further written approval of the planning authority and thereafter shall be carried out in full accordance with said scheme – in order to restrict the use of the new road to buses only.

The Committee resolved:-

to approve the recommendation.

DECLARATIONS OF INTERESTS

Councillor Jean Morrison MBE declared an interest in the following item by virtue of her role as the Council's representative on Langstane Housing Association.

Councillor Jennifer Stewart declared an interest in the following item by virtue of her involvement with Somebody Cares, the charity organisation which presently occupied the site under consideration.

Both Members withdrew from the meeting during consideration of the item.

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80 SUMMERHILL ROAD - 141755

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

That the Committee express a willingness to approve the application for the construction of 26 affordable flats, but to withhold the issue of the consent document until a legal agreement was secured to ensure the development was restricted to solely affordable housing, as well as the agreement of developer contributions towards primary and secondary education, the core path network and the Strategic Transport Fund, and subject to the following conditions:-

(1) That none of the flats with balconies proposed, as identified on drawing no APL_10 Rev A, shall be occupied unless the balconies have been provided for use – in order to ensure the balconies are delivered as part of the scheme, their provision considered necessary to provide useable amenity space for residents of the development in accordance with policy D2; (2) that notwithstanding the details shown on drawing no. APL_10 rev A or any drawing superseding this and agreed with the planning authority, the balcony on the western elevation of Block B at third floor level shall be omitted from the scheme – in order to avoid any detriment to the privacy of neighbouring properties; (3) that no development other than works of demolition and site clearance shall take place unless it is carried out in full accordance with a scheme to address any significant risks from 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 (a) an investigation to determine the nature and extent of contamination; (b) a site-specific risk assessment; (c) a remediation plan to address any significant risks and ensure the site is fit for the use proposed and (d) verification protocols to demonstrate compliance with the remediation plan. The dwelling shall not 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 dwelling has been submitted and approved in writing by the planning authority that verifies that remedial works to fully address contamination issues related to the dwelling has been carried out, unless the planning authority has given written consent for a variation. The flats shall not be occupied unless a report has been submitted and approved in writing by the planning authority that verifies that the remedial works have been carried out in full accordance with the remediation plan, unless the planning authority has given written consent for a variation - to ensure that the site is suitable for use and fit for human occupation; (4) that all planting, seeding and turfing comprised in the approved scheme of landscaping (drawing no APL_30 Rev A) shall be

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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; (5) 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 safety; (6) that no development shall take place unless samples of 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; (7) that the visibility splay as shown in drawing no 900 Rev 4 hereby approved shall be provided and maintained free of any obstruction above 1 metre in height (measured from the level of the public carriageway) from the first occupation of the development and shall be maintained in perpetuity – in the interests of road safety, to ensure that vehicles entering or exiting the access can undertake the manoeuvre safely and with minimum interference to the safety and free flow of traffic on Summerhill Road; (8) that no development shall commence until details of the SuDS sub-base have been provided and approved by the Planning Authority (in consultation with SEPA), that demonstrate a minimum depth of 500mm of the sub-base from the porous block paving. Thereafter no unit within the development shall be occupied until such time as the agreed scheme of drainage has been implemented in full, unless otherwise agreed in writing by the planning authority – in order to ensure an acceptable level of SuDS treatment; (9) that no unit within the development hereby granted planning permission shall be occupied unless provision has been made within the application site for refuse storage and disposal in accordance with a scheme which has been submitted to and approved in writing by the planning authority – in order to preserve the amenity of the neighbourhood and in the interests of public health; and (10) that the development hereby approved shall not be occupied unless the car, cycle and motorcycle parking areas have been constructed, drained, laid-out and demarcated in accordance with the drawing of the plan 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 - in the interests of public safety, encouraging sustainable modes of travel and the free flow of traffic.

INFORMATIVES

1. During construction work the applicant and/or the developer should remain vigilant for signs of bats, if they come across any bats or any signs of bats, all work in

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that area must cease immediately and Scottish Natural Heritage must be contacted for further advice.

2. It should be noted that as bats are a European Protected Species, as listed in the Conservation (Natural Habitats &c.) Regulations 1994 it is illegal to:

- Deliberately kill, injure, disturb or capture/take European Protected Species of animal
- Damage or destroy the breeding sites or resting places of such animals.

The Committee resolved:-

to approve the recommendation.

UNITS 1-3, UNION GLEN - 141430

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

That the Committee express a willingness to approve the application for the demolition of existing industrial units and the erection of an apart-hotel comprising 71 room suites with associated parking and landscaping, but to withhold the issue of the consent document until the applicant had entered into a legal agreement with the Council to secure developer contributions towards works to the core path network; environmental and access improvements in the area; and the Strategic Transport Fund, and subject to the following conditions:-

- (1) that no development other than the works of demolition/site clearance shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work which shall include post-excavation and publication work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority - in the interests of protecting items of historical importance as may exist within the application site; (2) that no development shall take place unless a scheme, including submission of material samples, 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; (3) that the development hereby granted planning permission shall not be occupied unless all drainage works detailed on Plan No 107549/2001, as set out in the Drainage Assessment dated 17/12/2014 and submitted in support of this application by Fairhurst, 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; (4) that all proposed stairwell and amenity room windows on the west elevation of the proposed development hereby approved shall not be fitted

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otherwise than with with obscure glass to a minimal level 2 obscuration unless the planning authority has given prior written approval for a variation - in the interests of protecting the privacy of neighbouring residential properties; (5) that the development hereby granted planning permission shall not be occupied unless a scheme detailing cycle storage provision has been submitted to, and approved in writing by the planning authority, and thereafter implemented in full accordance with said scheme - in the interests of encouraging more sustainable modes of travel; (6) that the development hereby granted planning permission shall not be occupied unless provision has been made within the application site for refuse storage and disposal in accordance with a scheme which has been submitted to and approved in writing by the planning authority - in order to preserve the amenity of the neighbourhood and in the interests of public health; (7) that no development shall take place, other than the works of demolition/site clearance, unless it is carried out in full accordance with a scheme to address any significant risks from contamination on the site, and such scheme 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 (a) an investigation to determine the nature and extent of contamination; (b) a site-specific risk assessment; (c) 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 that verifies that completion of the remedial works for the entire application site, unless the planning authority has given written consent for a variation - in order to ensure that the site is fit for human occupation; (8) that the development hereby approved shall not be occupied unless the parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing No. L(00)10 Rev 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 or motorcycles ancillary to the development and use thereby granted approval - in the interests of public safety and the free flow of traffic; (9) that the staff changing rooms as shown on the approved plan Ref L(00)10 Rev B, or such other plan as may subsequently be approved in writing by the planning authority for the purpose, shall have been provided in accordance with the details hereby approved prior to first occupation of the building and retained thereafter at all

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times for such use - to ensure suitable facilities to support and promote sustainable modes of travel; (10) that no development shall take place unless there has been submitted to and approved in writing a detailed Green Travel Plan and Travel Information Pack, which should be site specific and outline measures to deter the use of the private car and promote all kinds of sustainable travel and provide detailed monitoring arrangements, modal split targets and associated penalties for not meeting targets - in order to encourage more sustainable forms of travel to the development; (11) that the Traffic Regulation Order (TRO) required to deliver the proposed taxi drop off/pick up area, as per drawing number L(00)10 Revision B, is in place prior to occupation of the development hereby approved, or any other such timescale agreed by the planning authority, and the total cost of all works including the promotion of the TRO are met by the applicant - in the interests of public safety and the free flow of traffic.

INFORMATIVES

1. It is recommended that 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.
2. It is recommended that the applicant contact Aberdeen City Waste Aware section to ascertain further information regarding refuse storage/removal. Waste Team - Tel 08456 080919 / E-mail - wasteaware@aberdeencity.gov.uk
3. It is recommended that consideration be given to any potential noise related issues to surrounding residents due to plant installed on site.
4. A Traffic Regulation Order (TRO) will be required for the proposed taxi drop off/pick up area as per drawing number L(00)10 Revision B. It should be noted that the applicant has responsibility for applying for the TRO.

The Convener moved, seconded by Councillor Corall, that the application be approved in accordance with the recommendation contained within the report.

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

That the application be refused due to the loss of the three ongoing businesses in the industrial units and the effect on employment; on the grounds that the height and massing of the development would have an unacceptable impact on the amenity of the surrounding area; and due to concerns over the minimal level of car parking to be provided.

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On a division, there voted:- for the motion (9) – the Convener; and Councillors Corall, Cormie, Crockett, Lawrence, MacGregor, Malik, Jean Morrison MBE, and Sandy Stuart; for the amendment (6) – the Vice Convener; and Councillors Boulton, Greig, Jaffrey, Jennifer Stewart and Thomson.

The Committee resolved:-

to adopt the motion.

DECLARATION OF INTEREST

Councillor Sandy Stuart declared a personal interest in the following item by virtue of him knowing the applicant, and chose to withdraw from the meeting during consideration of the item.

16 VICTORIA STREET, DYCE - 141147

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

That the Committee approve the application for planning permission for an extension to the building at 16 Victoria Street to form bed and breakfast accommodation, subject to the following conditions:-

(1) That occupation of the hereby approved development shall not take place unless there has been submitted to and approved in writing for the purpose by the planning authority a detailed scheme of landscaping for the site, which scheme shall include proposed areas of tree/shrub planting in particular along the street frontage 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 use hereby granted planning permission shall not take place unless provision has been made within the application site for refuse storage and disposal in accordance with a scheme which has been submitted to and approved in writing by the planning authority. Details shall include the location of refuse storage area - in order to preserve the amenity of the neighbourhood and in the interests of public health; (4) that the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with the approved plans hereby approved or such

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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 - in the interests of public safety and the free flow of traffic; and (5) that no development shall take place unless a scheme of all drainage works designed to meet the requirements of Sustainable Urban Drainage Systems 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 - in order to safeguard water qualities in adjacent watercourses and to ensure that the development can be adequately drained.

The Committee resolved:-

to approve the recommendation.

DONSIDE PHASE 2, GORDON MILLS ROAD - 140823

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

That the Committee approve the application for planning permission for the erection of 24 flats in a 7, 8 and 9 storey block and associated infrastructure, but to withhold the issue of the consent document pending agreement of a suitable mechanism to secure developer contributions towards community facilities, and subject to the following conditions:-

(1) That no development shall take place unless a scheme detailing all external finishing materials to the roofs, walls and hard surfaces 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; (2) that the full details of the compensatory storage proposals, including cross sections and drawings clearly showing how the scheme will fill and drain freely during a flood event, are agreed with relevant parties including SEPA and implemented in full prior to the commencement of development. The detailed proposals are to be designed in accordance with Appendix C of the Flood Risk Assessment (dated 1 March 2012) and the plan of "Flood Extents" ref 62299/WS/11 (dated 14 March 2012) or other as so agreed with the planning authority – in the interests of preventing flooding; (3) that the existing piling and any retaining structures shall not be removed or altered unless a detailed method statement, including measures for satisfactorily dealing with contaminated land, has been submitted to and agreed in writing with the planning authority – in order to ensure that there is no adverse impact on the river; (4) that the development hereby granted permission shall not be occupied unless the agreed compensatory storage have been implemented in full and are fully available for use; (5) that no development pursuant to the planning permission hereby approved shall be carried out unless there has been

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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; (6) 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; (7) 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 safety and wildlife; (8) that no development shall take place unless there has been submitted, at least two months prior to the commencement of any works, and approved in writing by, the planning authority (in consultation with SEPA and other agencies such as SNH as appropriate) a site specific construction method statement for all works, including to the river bank and including the sheet piling, and construction of wildlife corridor and any other works affecting the river bank. The method statement shall include methods for the prevention of pollution reaching the River Don, including measures to control dust, run-off, timing of works in relation to water levels and the management of waste. The scheme shall be implemented in complete accordance with details as so approved and work shall not take place unless the measures as so agreed are in place and fully operational - to control pollution of air, water and land; (9) that the development shall not take place unless full details are provided of the surface water drainage system to the satisfaction of the Planning Authority in consultation with SEPA. The development shall not be occupied unless the agreed details have been implemented and are available for use – in the interests of the water environment and flood prevention; (10) that no development shall take place that alters the riverbank unless there has been submitted to that full details are provided of the treatment of the river banks to the satisfaction of the Planning Authority in consultation with SEPA and the agreed details are implemented in full prior to the occupation of the development – in the interests of protecting the riverside environment; (11) that notwithstanding the refuse storage indicated on the plans, no development shall take place unless there has been submitted to and approved in writing by the planning authority details of the siting, design and materials of the refuse storage. The development shall not be occupied unless the refuse storage as so approved has been implemented on site and is ready for use – in the interests of public safety and visual amenity; (12) that no development shall take place unless there has been submitted to and approved in writing by the planning

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authority, details of cycle storage. The development shall not be occupied unless the cycle storage as so approved has been provided and is available for use – in the interests of encouraging the use of sustainable modes of transport and visual amenity; (13) that no development shall take place unless there have been submitted to, and approved in writing by, the planning authority, reports on pre-construction surveys by suitably qualified specialists, for wildlife, including foxes, badgers, watervoles, birds and otters. Any measures recommended shall be implemented fully in accordance with the report as so agreed and in accordance with recommended timescales – in order to ensure protection of wildlife; and (14) that the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with the approved plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of cars ancillary to the development and use thereby granted approval - in the interests of public safety and the free flow of traffic.

The Committee resolved:-

- (i) to approve the recommendation; and
- (ii) to instruct that officers approach the developer and request that an accessible external water tap be considered for inclusion in the proposals.

44 BEDFORD ROAD - 141664

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

That the Committee express a willingness to approve the application for the erection of a three and a half storey serviced apartment development with associated car parking, but to withhold the issue of the consent document until the applicant had entered into a legal agreement to ensure that the development remained in single ownership and that no apartment could be occupied for more than 90 days by the same occupant, and subject to the following conditions:-

- (1) That no development pursuant to this planning permission shall take place, nor shall any part of the development hereby approved be occupied, unless there has been submitted to and approved in writing by the Planning Authority, a detailed scheme of site and plot boundary enclosures for the entire development hereby granted planning permission. None of the buildings hereby granted planning permission shall be occupied unless the said scheme has been implemented in its entirety - in order to preserve the amenity of the neighbourhood; (2) 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 - in the interests of visual amenity. For the

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avoidance of doubt, samples of the finishing materials should be provided to inform the planning authority's assessment; (3) that the development hereby approved shall not be occupied unless the Car, cycle and motorcycle parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing No. 015a 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 - in the interests of public safety, encouraging sustainable modes of travel and the free flow of traffic; (4) that the serviced apartments hereby granted planning permission shall not be occupied unless a scheme for the provision of foul sewerage and wholesome water facilities has been submitted to and approved in writing by the Planning Authority and that the said scheme has been implemented - in the interests of public health; (5) that the use hereby granted planning permission shall not take place unless provision has been made within the application site for refuse storage and disposal in accordance with a scheme which has been submitted to and approved in writing by the planning authority – in order to preserve the amenity of the neighbourhood and in the interests of public health; (6) 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'; (7) that the use hereby approved shall not be brought into use until such time as a sample Residential Travel Pack has been submitted to and agreed in writing by the planning authority, and thereafter prominently displayed for the benefit of occupants. For the avoidance of doubt, this should be site-specific and detail the sustainable transport options available to occupants of the development - in the interests of promoting sustainable travel; (8) that no development pursuant to this grant of planning permission shall be undertaken unless street furniture on Bedford Place has been re-sited in accordance with a scheme which has been submitted and agreed in writing by the planning authority – in order to ensure that existing street furniture is not inappropriately sited relative to bedroom windows and the proposed vehicular access; and (9) that prior to the commencement of any works on site, a detailed scheme for surface water drainage shall be submitted to and agreed by the Planning Authority, in consultation with SEPA and Scottish Water. This shall include drainage calculations for a sensitivity test up to a 200 year return period. Thereafter, all work shall be carried out in accordance with the approved scheme – to ensure adequate protection of the water environment from surface water runoff.

The Convener moved, seconded by Councillor Cormie:-

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

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

That consideration of the application be deferred to allow further discussion of the original plans with the developer which would alleviate the safety concerns raised in the objection by the Roads Project Team, and to request that the application then come back before Committee for consideration.

On a division, there voted:- for the motion (7) – the Convener; and Councillors Corall, Cormie, Crockett, Lawrence, Malik and Sandy Stuart; for the amendment (8) – the Vice Convener; and Councillors Boulton, Greig, Jaffrey, MacGregor, Jean Morrison MBE, Jennifer Stewart and Thomson.

The Committee resolved:-

to adopt the amendment.

DECLARATIONS OF INTERESTS

The Convener declared an interest in the following item of business by virtue of having been involved in the property transaction while he was employed by NHS Grampian, and withdrew from the meeting. Thereupon, the Vice Convener took the Chair.

Councillor Crockett also declared an interest by virtue of his membership of the Board of NHS Grampian and withdrew from the meeting during consideration of the item.

MAY BAIRD AVENUE, ASHGROVE - 140810

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

That the Committee express a willingness to approve the application for the erection of 46 apartments with associated car parking, landscaping and external works, subject to the conclusion of a legal agreement to secure (a) 25% affordable housing provision on adjoining land, as described in application P141696; (b) developer contributions in relation to primary education in line with the assessment carried out by the Council's Developer Obligations team; and the Strategic Transport Fund as advised by the Roads Development Management team; and (c) participation in a Car Club, including leasing and associated administrative costs for a single vehicle for a period of 3 years, in order to mitigate the identified shortfall in car parking, and subject to the following conditions:-

(1) That no development pursuant to this consent shall commence on site until a site specific Construction Method Statement has been submitted to and approved in writing by the Planning Authority in consultation with SEPA. All

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works on site must be undertaken in accordance with the approved CMS unless otherwise agreed in writing with the Planning Authority - In order to minimise the impacts of necessary demolition/construction works on the environment; (2) prior to the commencement of any works on site, a detailed scheme for surface water drainage shall be submitted to and agreed by the Planning Authority, in consultation with SEPA. Thereafter, all work shall be carried out in accordance with the approved scheme – to ensure adequate protection of the water environment from surface water runoff; (3) that no development besides excavations and laying of foundations 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 - in the interests of visual amenity; (4) that the development hereby approved shall not be occupied unless the car, cycle and motorcycle parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing No. L(90)-100-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 the purpose of the parking of cars ancillary to the development and use thereby granted approval - in the interests of public safety, encouraging sustainable modes of travel and the free flow of traffic; (5) 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; (6) 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; (7) that no development shall take place unless a plan showing those trees to be removed and those to be retained and a scheme for the protection of all trees to be retained on the site during construction works has been submitted to, and approved in writing by, the Planning Authority and any such scheme as may have been approved has been implemented - in order to ensure adequate protection for the trees on site during the construction of the development; (8) 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

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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; (9) that no development shall take place unless there has been submitted to, and approved in writing by, the planning authority (i) a scheme for the supervision of the arboricultural protection measures and works to include the time and method of site supervision, record keeping including updates and that this supervision is administered by a qualified arboriculturalist approved by the planning authority but instructed by the applicant; and (ii) a plan and report illustrating appropriate management proposals for the care and maintenance of all of the trees to be retained and any new areas of planting (to include timing of works and inspections) has been submitted to and approved in writing by the planning authority. The proposals and scheme of supervision shall subsequently be carried out in complete accordance any information thereby approved in writing by the planning authority - in order to ensure adequate protection for the trees on site during the construction of the development and in order to preserve the character and visual amenity of the area; (10) that no unit within the development hereby granted planning permission shall be occupied unless provision has been made within the application site for refuse storage and disposal in accordance with a scheme which has been submitted to and approved in writing by the planning authority - in order to preserve the amenity of the neighbourhood and in the interests of public health; (11) that the buildings 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'; (12) that no unit within the development hereby approved shall be occupied until such time as a 'Car Club' only parking space has been made available at a prominent position within the application site, in accordance with site plan L(90)-100-D of the plans hereby approved, or such other plan as has been submitted to and approved in writing by the planning authority for this purpose -in order to ensure that the identified shortfall in on-site parking is adequately mitigated; (13) that no development pursuant to this planning permission shall take place, nor shall any part of the development hereby approved be occupied, unless there has been submitted to and approved in writing by the Planning Authority, a detailed scheme of site and plot boundary enclosures for the entire development hereby granted planning permission. None of the buildings hereby granted planning permission shall be occupied unless the said scheme has been implemented in its entirety - in order to preserve the amenity of the neighbourhood; (14) that no development pursuant to this grant of planning permission shall be undertaken unless a further detailed scheme of the footpath links within areas of open space has been submitted to any agreed in writing by the planning authority, in consultation with the Council's Roads Projects Team. Thereafter no residential unit within the development shall

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be occupied until such time as those approved routes have been constructed and made available for use in accordance with the agreed scheme - in order to ensure that the shared surface paths are designed to the required standard, thereby enhancing recreational access and permeability; and (15) that no unit within the development hereby approved shall be occupied until the site access from May Baird Avenue and associated upgrading of May Baird Avenue to adoptable standard has been carried out in accordance with drawing L(90)-100-D, or such other drawing as has been submitted to and approved in writing for this purpose - in order to ensure appropriate vehicular and pedestrian access to the development.

INFORMATIVES

Please note that in SEPA's consultation response, it was stipulated that the required Construction Method Statement (CMS) should be submitted at least 2 months prior to the intended commencement of works, in order to give consultees sufficient time to review submissions.

The Committee resolved:-

to approve the recommendation

At this juncture, the Vice Convener vacated the Chair in favour of the Convener upon his return.

LAND ADJACENT TO 169 QUEENS ROAD - 141815

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

That the Committee refuse the application for the conversion of ancillary accommodation to form a single dwellinghouse on the following grounds:-

- (1) That the proposed development would constitute backland development in the rear garden of 169 Queens Road. It would not have a public face to a street, would create a second building line behind an existing formal building line, and would suffer from a contrived access solution without adequate pedestrian access. The proposal would result in a form of development that was alien to the established density, character and pattern of development. It was considered to be contrary to the requirements of Policies D1 (Architecture and Placemaking), D2 (Design and Amenity) and H1 (Residential Areas) of the Aberdeen Local Development Plan, Policies D1 (Quality Placemaking by Design) and H1 (Residential Areas) of the Proposed Local Development Plan and the Subdivision and Redevelopment of Residential Curtilages Supplementary Guidance; and (2) due to the proximity of the building to the rear boundary with 8 and 10 Kepplestone Avenue, the proposal could result in excessive overlooking

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of the private rear garden of these properties to the detriment of their residential amenity. This was contrary to the requirements of Policy H1 (Residential Areas) and the Subdivision and Redevelopment of Residential Curtilages Supplementary Guidance.

The Committee resolved:-

to approve the recommendation and refuse the application.

1 AND 2 ALBERT TERRACE GARDENS, PART OF 1, 2, 3 CARDEN TERRACE - 141587

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

That the Committee refuse the application for the erection of 2 blocks (incorporating 4 flats) with associated car parking and landscaping on the following grounds:-

(1) That the proposal would be significantly detrimental to the character and appearance of the Albyn Place/Rubislaw Conservation areas and the setting of the adjacent listed buildings due to its inappropriate and poor design, the integration of feus resulting in the loss of the historic feu pattern, the removal of interfeu and boundary walls and through the introduction of a second building line facing Albert Terrace. This is contrary to Scottish Planning Policy, Scottish Historic Environment Policy, Historic Scotland Document 'Managing Change in the Historic Environment: Boundaries', the requirements of policies D1 (Architecture and Placemaking), D4 (Aberdeen's Granite Heritage) and D5 (Built Heritage) of the Aberdeen Local Development Plan and policies D1 (Quality Placemaking by Design) and D4 (Historic Environment), D5 (Our Granite Heritage) of the Proposed Local Development Plan, and the Subdivision and Redevelopment of Residential Curtilages Supplementary Guidance; (2) that the proposal would result in a site layout dominated by hard surfacing between the proposed new buildings and 1, 2 and 3 Carden Terrace, and providing inadequate provision of outdoor amenity space for the entire development, both the new and existing buildings at 1, 2 and 3 Carden Terrace and 1 and 2 Albert Terrace Gardens and is consequently an over development of the site. This is contrary to the requirements of policy D2 (Design and Amenity) of the Aberdeen Local Development Plan and policy D1 (Quality Design by Placemaking) of the Proposed Local Development Plan; (3) that the development would have a detrimental impact on the residential amenity of adjacent properties due to a loss of light to 2 Albert Terrace Gardens, and a loss of privacy to 2 and 3 Carden Terrace and the rear gardens of 1 and 2 Albert Terrace Gardens. This is contrary to the requirements of policy H1 (Residential Areas) of the Aberdeen Local Development Plan, policy H1 (Residential Areas) of the Proposed Local Development Plan and the Subdivision and Redevelopment of Residential Curtilages Supplementary Guidance; and (4) that the applicant has failed to provide sufficient information regarding the potential impact of the development on the health of the trees covered under Tree Preservation Order No.15 on the

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boundary of the site with Albert Terrace. This is contrary to the requirements of policy NE5 (Trees and Woodlands) of the Aberdeen Local Development Plan, policy NE5 (Trees and Woodlands) of the Proposed Local Development Plan and the Trees and Woodlands Supplementary Guidance.

The Committee resolved:-

to approve the recommendation and refuse the application.

33A BURNS ROAD - 141274

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

That the Committee refuse the application for the erection of a single dwelling within the boundary of the existing property at 33A Burns Road on the following grounds:-

(1) That the proposed development as a result of the plot location, shape and size was fundamentally at odds with the established character of the wider area and as a result would have a detrimental impact upon the amenity of existing residents in terms of privacy and the general enjoyment of their gardens, contrary to Policy D1 (Architecture and Design), Policy D2 (Design and Amenity) and Policy H1 (Residential Areas) of the Aberdeen Local Development Plan (2012) and the Supplementary Guidance on The Sub-division and Redevelopment of Residential Curtilages; (2) that the proposed development as a result of the plot location, shape and size would fail to provide a satisfactory level of amenity for future residents of the new house, specifically in relation to availability of daylight and lack of quality garden ground contrary to Policy D1 (Architecture and Design), Policy D2 (Design and Amenity) and Policy H1 (Residential Areas) of the Aberdeen Local Development Plan (2012) and the Supplementary Guidance on The Sub-division and Redevelopment of Residential Curtilages; and (3) that the proposed development was likely to require the removal of or cause damage to established trees which contribute to the character of the area, contrary to Policy NE5 (Trees and Woodlands) of the Aberdeen Local Development Plan and the Supplementary Guidance on The Sub-division and Redevelopment of Residential Curtilages.

The Committee resolved:-

to approve the recommendation and refuse the application.

MATTER OF URGENCY

The Convener intimated that he had directed in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973 that following item be considered as a matter of urgency to enable the response to the new Historic Environment Scotland Act 2014 to be submitted timeously.

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16. The Committee had before it a report by the Director of Communities, Housing and Infrastructure which set out the proposed consultation response to secondary legislation which underpinned the new Historic Environment Scotland Act 2014.

The report recommended:-

that Committee approve the consultation response on the Historic Environment Scotland Act 2014: Secondary Legislation as set out in Appendix 1 of the report.

The Committee resolved:-

to approve the recommendation.

- RAMSAY MILNE, Convener; and ANDREW FINLAYSON, Vice Convener