

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 29 October 2015. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Milne, Convener; Councillor Finlayson, Vice Convener; and Councillors Boulton, Cooney, Cormie, Greig, Jaffrey, Lawrence, Nicoll, Noble (as substitute for Councillor Dickson), Jennifer Stewart, Stuart, Taylor (as substitute for Councillor Jean Morrison MBE) and Thomson.

The agenda and reports associated with this minute can be found at:-
<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=348&MIId=3608&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.

ANNOUNCEMENT

1. The Convener noted the sad news of the death of a pupil at Cults Academy on 28 October 2015 and wished to express the Committees deepest condolences to the pupil's family. Councillor Boulton thanked the Committee on behalf of the community of Cults for their condolences. The Committee then held a minute silence.

MINUTE OF PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 16 JULY 2015 - CORRECTION

2. The Committee had before it a correction to the minute from 16 July 2015 due to an omission.

The Committee resolved:-
to approve the correction.

MINUTE OF MEETING OF THE PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 17 SEPTEMBER 2015

3. The Committee had before it the minute of its previous meeting of 17 September 2015.

In relation to article 4 of the minute, Jessiefield Junction and Land South at Bellfield Farm, Daniel Lewis advised that a noise assessment would be carried out and an application would be at the December committee.

The Committee resolved:-
to approve the minute.

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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 the following item be considered as a matter of urgency to enable the item to be considered timeously.

ROWETT RESEARCH INSTITUTE GREENBURN ROAD BUCKSBURN - 150826

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

That the Committee defer holding a public hearing for the application.

It was noted that more than twenty objections were received in regards to the application, which was under consideration, and as a result it was before committee for a decision on whether a public hearing would be required.

The Convener suggested that a site visit be arranged for members before the application was submitted and was before the Pre Application Forum.

The Committee resolved:-

- (i) to request that no public hearing be held; and
- (ii) to request that a site visit be arranged for members in due course.

35 MILE END AVENUE - 150530

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

That the Committee approve the application unconditionally to erect a single storey extension to the rear elevation of the existing dwelling house.

The Committee resolved:-

to approve the application.

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21 UNION STREET - 151160

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

That the Committee approve the application for planning permission for a change of use from class 1 to a mixed use premises comprising class 1 and class 3, subject to the following conditions:-

- (1) that the mixed use (class 1 and class 3) hereby granted permission shall not be implemented until the approved shop front scheme as demonstrated in drawings 9955 02 A, 9955 03 A and 9955 04 A, has been fully constructed.

Reason: in the interests of enhancing the character of the Conservation Area, the appearance of the listed building and protecting the retail core, in line with the aims of Scottish Planning Policy, Policy RT1 of the Local Development Plan and the Aberdeen City Centre Masterplan Report.

- (2) that all glazing within the shop front hereby granted permission shall remain transparent at all times.

Reason: in order to retain a live and attractive street frontage within the Conservation Area and to comply with the aims of Policy RT1 of the Local Development Plan.

- (3) that no cooking / frying operations or hot food preparation shall be carried out on the premises other than the use of a soup urn and re-heating of pre-cooked produce by means of a microwave oven.

Reason: In order to prevent the creation of nuisance by the release of odours, in the interests of preserving the amenity of the area and to comply with Policy C2 of the Local Development Plan.

- (4) Notwithstanding the approved drawings no works shall take place until full details of the proposed works including 1:20 scale joinery profiles and cross sections of the windows and doors have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with Policy D1 of the Local Development Plan.

The Committee resolved:-

to approve the recommendation.

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24 HILLVIEW ROAD PETERCULTER - 151201

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

That the Committee approve planning permission for a two storey extension with hipped roof to the west facing side elevation unconditionally.

The Committee resolved:-

to approve the recommendation.

39 KINGS CRESCENT - 151058

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

That the Committee approves full planning permission to reconstruct the buttresses and construct a link bridge from the gable of the application property to the boundary wall to the north, unconditionally.

The Convener suggested that a site visit be scheduled in order to determine the application and that no discussion take place today in regards to the application.

The Committee resolved:-

to request that a site visit be scheduled in due course to allow the application to be determined.

SPRINGFIELD ROAD FILLING STATION, SPRINGFIELD ROAD - 151084

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

That the Committee approve the application for planning permission to relocate three no air conditioning units from the roof of the petrol station down the north side of the building at ground level and to erect a timber fence compound around it, subject to the following condition:-

That the air conditioning units shall not be used unless all screen fencing works detailed on Plan No CO-15-31-101 Rev E 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 plan – in order to preserve the amenity of the neighbourhood.

The Committee resolved:-

to approve the recommendation.

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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 the following item be considered as a matter of urgency to enable the item to be considered timeously.

CALDER PARK, REDMOSS - 151082

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

That the Committee express a willingness to approve the application subject to conditions and the conclusion of an appropriate agreement to secure developer contributions in relation to the upgrading of Core Path 83:-

- (1) 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'.
- (2) that no part of the development hereby approved shall 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.
- (3) that no development shall take place unless a scheme detailing all external finishing materials to the roof and walls of the development (including material samples) 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 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.

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- (5) that the development hereby approved shall not be occupied unless a scheme demonstrating proposals for car, motorcycle and cycle parking to serve the development, and which benefits from any necessary grant of planning permission, has been submitted to and agreed in writing by the planning authority, and that the agreed provision has been laid out and made available for use. Such areas shall thereafter remain available for use during the School's hours of operation - in the interests of public safety and the free flow of traffic.
- (6) that the development hereby approved shall not be brought into use unless a scheme detailing the following access improvements has been submitted and agreed in writing by the planning authority, and subsequently implemented in full prior to occupation - in the interests of road safety and the free flow of traffic.
- (a) Provision of a 3m wide shared foot/cycle path along the new school access road from Wellington Circle;
 - (b) Upgrading of core path 82 between Boyd Orr Ave and Redmoss Road with lighting and a new surface;
 - (c) Provision of formalised path between West Tullos Road and Abbotswell Crescent;
 - (d) Further improvements to paths adjacent to Langdykes Road
 - (e) Provision of an uncontrolled pedestrian crossing on Wellington Circle (south);
 - (f) Provision of a controlled pedestrian/cyclist crossing ("toucan") on Wellington Road, just south of Souter Head Roundabout;
 - (g) Provision of traffic calming and formal pedestrian crossing points on the new access road, to enable safe access between the new school and adjacent car parking.
 - (h) Provision for the pedestrianisation of a section of Redmoss Road between the existing residential dwellings and the nature reserve by use of closed gate, retractable bollards or similar at either side. This scheme should include provision for the formation of turning heads at both restricted access points to allow for vehicles to turn, with access being permitted only for emergency vehicles and for an existing farm that will have keys for either the gates or bollards. The route will be re-surfaced where required, lit and provision made for a foot / cycleway to be created along its length to ensure that a safe route to school link is made.

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- (7) that the development hereby authorised shall not be brought into use unless the a scheme for the provision of part-time 20mph limits on Wellington Circle (South) and on a section of Redmoss Road prior to occupation (or such other timescale as may be agreed) has been submitted to and agreed in writing by the planning authority. Any such scheme will involve all administrative costs relating to the implementation of 20mph limits being met by the developer - in the interests of pedestrian safety.
- (8) that the development hereby granted planning permission shall not be occupied unless all drainage works detailed on Fairhurst Plan No 107652/2003-rev B 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 0 in order to safeguard water qualities in adjacent watercourses and the ensure that the proposed development can be adequately drained.
- (9) that the development hereby approved shall not be brought into use unless a scheme detailing proposals to mitigate development impact on Souter Head roundabout has been submitted to and agreed in writing by the planning authority and subsequently either that scheme has been implemented in full, or an equivalent financial contribution based on the cost of the agreed works has been made to the Council, to be put towards a wider scheme which will mitigate the identified development impact - in order to ensure that the impact of development traffic on the Souter Head roundabout will be appropriately mitigated.
- (10) 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.
- (11) that the development hereby approved shall not be occupied 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.
- (12) 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

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- include timing of works and inspections) has been submitted to and approved in writing by the planning authority. The proposals shall be carried out in complete accordance with such plan and report as may be so approved, unless the planning authority has given prior written approval for a variation - in order to preserve the character and visual amenity of the area.
- (13) 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.
- (14) that any tree work which appears to become necessary during the implementation of the development shall not be undertaken without the prior written consent of the planning authority; any damage caused to trees growing on the site shall be remedied in accordance with British Standard 3998: 2010 "Recommendations for Tree Work" before the building hereby approved is first occupied - in order to preserve the character and visual amenity of the area.
- (15) that no materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in the aforementioned scheme of tree protection without the written consent of the planning authority and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks - in order to ensure adequate protection for the trees on site during the construction of the development.
- (16) that the development shall not be brought into use unless there has been submitted to, and approved in writing by, the planning authority details of the availability of the school and opening of the grounds for use by the public. The school and grounds shall be available in accordance with such details as so approved unless otherwise agreed in writing with the planning authority - in the interests of the provision of recreational and community facilities to the public.
- (17) that no development shall be undertaken unless a scheme detailing that the new watercourse crossing has been designed to pass the 1000 year design flow and will include an appropriate freeboard to the culvert soffit has been submitted to and agreed in writing by the planning authority, in consultation with SEPA. Thereafter, no part of the development shall be brought into use or occupied unless the culvert has been fully implemented in accordance

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with the details so agreed - in order to ensure that the site is not at risk of flooding from the adjacent watercourse.

- (18) the development hereby approved shall not be occupied unless finished floor levels of the ground floor are 82.25m Above Ordnance Datum (AOD) or above - in order that the school building is not at risk of flooding from the adjacent watercourse.
- (19) no development shall be undertaken unless a site specific construction environmental management has been submitted and approved in writing by the planning authority [in consultation with SEPA]. Thereafter all work shall be carried out in accordance with the approved plan unless otherwise approved in writing by the planning authority (in consultation with SEPA) - in order to control potential pollution of air, land and water.
- (20) that no development shall be undertaken unless a scheme for the management of the existing peat materials on site has been submitted to and agreed in writing by the planning authority, in consultation with SEPA. Thereafter, all development shall be undertaken in accordance with the agreed scheme, unless otherwise agreed in writing by the planning authority, in consultation with SEPA. This scheme shall include the following information –
- Volumes, depth and location of any peat disturbed;
 - Details of any proposed reuse of the peat within the site (including a plan showing volumes, location and usage, ratios of soil to peat mix);
 - Details of any disposal of peat proposed (including volumes, ratios of soil to peat mix and detailed disposal proposals);
 - Details of mitigation and restoration proposals
 - Reason: in order to minimise disturbance of peat and ensure the appropriate reuse and management of peat on site.
- (21) that the use hereby granted planning permission shall not take place unless provision has been made within the application site for litter disposal and, if appropriate, recycling facilities 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.
- (22) that the building hereby granted planning permission shall not be brought into use unless an assessment of noise sources within the development site has been submitted to and approved in writing by the planning authority in consultation with Environmental Health colleagues, unless the planning authority has given prior written approval for a variation - in order to preserve the amenity of existing and future residential properties.

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- (23) that within 6 months of occupation a pupil and staff travel survey and Draft School Travel Plan must be submitted to and approved in writing by the planning authority. Thereafter, and within 12 months of occupation, a Final School Travel Plan must be submitted to and approved in writing by the planning authority, and thereafter any measures shall be implemented in full accordance with the agreed Plan, unless otherwise agreed in writing by the planning authority - in order to encourage more sustainable forms of travel to the development.
- (24) Development shall not commence until a bird hazard management plan has been submitted to and approved in writing by the planning authority. The submitted plan shall include details of measures to discourage birds from utilising the large expanse of flat roof and thereafter the agreed measures shall be implemented in full - to avoid endangering the safe movement of aircraft and the operation of Aberdeen Airport through the attraction of birds.

INFORMATIVES**ADVISORY NOTES FOR THE ATTENTION OF THE APPLICANT****NOTE 1: Hours of work**

It is recommended that no construction or demolition work should 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 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.

NOTE 2: Servicing Hours

That service deliveries / uplifts to and from the premises be restricted to occur only between the hours of 07:00 - 19:00 Monday to Saturday and 10:00 - 16:00 Sundays;

NOTE 3: Lighting

For further guidance on controlling light nuisance associated with flood lighting, it is advised that the applicant also refers to the following reference materials:

- (a) Guidance to accompany the Statutory Nuisance Provisions of the Public Health etc. (Scotland) Act 2008 - Appendix 2 – Technical Guidance on light Nuisance - Section 5: Sports Facilities; and
- (b) Handbook on Sports and Recreational Building Design - Volume 1 - Outdoor Sports, Part IV-Ancillary Work - Section 18 - Floodlighting.

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The Committee resolved:-

- (i) to note that conditions 8, 9, 20 and 23 had been amended from the original report;
- (ii) to request for a feasibility study to be undertaken in relation to the pedestrian crossing/overpass at Southerhead junction; and
- (iii) to otherwise approve the recommendation.

BREACH OF PLANNING CONTROL AT 31 CRAIGSHAW DRIVE, WEST TULLOS, ABERDEEN

11. The Committee had before it a report by the Director of Communities, Housing and Infrastructure, which informed members of a breach of planning control regarding the extension of a car sales forecourt at the front of Mercedes-Benz Aberdeen.

The report recommended:-

That the Committee –

- (a) authorise the serving of an Enforcement Notice upon Arnold Clark Estates as the owner of the application property to rectify the breach of planning control
- (b) note that the breach should be remedied by reinstating the landscaped area covered by the extended forecourt and the replanting of at least five trees within the area, in accordance with a scheme submitted to and agreed by the planning authority; and
- (c) notes that in the event that the above works are not undertaken, or a revised scheme is not agreed with the Planning Authority authorisation is sought of the Committee to seek redress in the courts.

The Committee resolved:-

to approve the recommendations.

CONFIRMATION OF TREE PRESERVATION ORDERS

12. The Committee had before it a report by the Director of Communities, Housing and Infrastructure, which provided information on four provisional Tree Preservation Orders.

The report recommended:-

that the Committee -

- (a) confirms the making of Tree Preservation Orders 119/2015, 208/2015, 224 and 230 without modifications; and
- (b) instruct the Head of Legal and Democratic Services to attend the requisite procedures.

The Committee resolved:-

to approve the recommendations.

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TREE PRESERVATION ORDER REVIEW STAGE 1 CONSULTATION

13. The Committee had before it a report by the Director of Communities, Housing and Infrastructure, which provided information on the intention to issue a consultation related to the Review of Tree Preservation Orders.

The report recommended:-

that the Committee confirm their agreement to issue the consultation.

The Committee resolved:-

to approve the recommendation.

- **Councillor Ramsay Milne, Convener.**