

Public Document Pack



To: Councillor Milne; Convener; Councillor Finlayson, Vice Convener; and Councillors Boulton, Cormie, Crockett, Dickson, Greig, Jaffrey, Lawrence, Malik, Jean Morrison MBE, Jennifer Stewart, Stuart and Thomson

Town House,
ABERDEEN, 14 September 2015

PRE-APPLICATION FORUM

The Members of the **PRE-APPLICATION FORUM** are requested to meet in Committee Room 2 - Town House on **MONDAY, 21 SEPTEMBER 2015 at 3.15pm.**

FRASER BELL
HEAD OF LEGAL AND DEMOCRATIC SERVICES

BUSINESS

- 1 Introduction and Procedure Note (Pages 3 - 6)

MINUTES

- 2 Minute of Previous Meeting of 18 August 2015 - for approval (Pages 7 - 8)

PRE APPLICATION REPORTS

- 3 Garthdee Road - site of former Caledon pub - 151263 (Pages 9 - 12)

The documents associated with this application can be found at -
<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=151263>

Planning Officer - Paul Williamson

Website Address: www.aberdeencity.gov.uk

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

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PRE-APPLICATION FORUM **PROCEDURE NOTE AND GUIDANCE FOR MEMBERS**

1. This procedure note will operate on a trial basis for the first three meetings of the Forum and will be subject to review and amendment during this period.
2. Meetings of the Pre-Application Forum will be held in open public session to enable discussion of all national and major development proposals.
3. Forums will be held as soon as possible after the submission of a Proposal of Application Notice (POAN) for all national and major development proposals and, in all cases, prior to the lodging of any associated planning application (this allows a period of 12 weeks following submission of the POAN).
4. The members of the Planning Development Management Committee will constitute the members of the Pre-Application Forum.
5. Ward Members for the Ward in which a specific pre-application proposal under discussion is located will be invited to the Forum but will be allowed to participate in the Forum only in relation to the specific pre-application proposal in their ward.
6. The relevant Community Council for the prospective development proposal(s) to be discussed will be informed of the date and time of the Pre-Application Forum by Committee Services so that they have the opportunity to attend but will not be permitted to participate in the business of the Forum.
7. If a Forum is required it will take place after formal business of the Planning Development Management Committee is concluded - this will normally be 2pm on the same day as the Planning Development Management Committee. The Forum will be separate from the Committee to emphasise the clear differences in status, process and procedure between the two meetings.
8. The case officer for the pre-application proposal will produce a very brief report (maximum 2-3 sides of A4) for the Forum outlining the proposal and identifying the main planning policies, material considerations and issues associated with it and the key information that will be required to accompany any application. The report will not include any evaluation of the planning merits of the proposal.
9. Agents/applicants will be contacted by Committee Services immediately on receipt of a POAN (or before this date if notified by planning officers of the week that a forthcoming POAN is likely to be submitted) and offered the opportunity to give a 10 minute presentation of their development proposal to the members of the Forum. There will be an opportunity for Councillors to discuss these with the agents/applicants, to ask questions and indicate key issues they would like the applicants to consider and address in their eventual application(s). If an applicant/agent does not respond to this offer within 10 days, or declines the opportunity to give such a presentation, then their proposal will be considered by the Forum without a developer/applicant presentation. Committee Services will notify the case officer of the applicant's response.

10. Case officers (or Team Leader/Manager/Head of Planning) and, if considered necessary, other appropriate officers e.g. Roads Projects Officers, will be present at the Forum. The case officer will give a very brief presentation outlining the main planning considerations, policies and, if relevant and useful, procedures and supporting information that will have to be submitted. Officers will be available to answer questions on factual matters related to the proposal but will not give any opinion on, or evaluation of, the merits of the application as a whole.
11. Members, either individually or collectively, can express concerns about aspects of any proposal that comes before the Forum but (to comply with the terms of the Code of Conduct) should not express a final settled view of any sort on whether any such proposal is acceptable or unacceptable.
12. A minute of the meeting will be produced by Committee Services and made publicly available on the Council website.
13. Members should be aware that the proposal being discussed may be determined under delegated powers and may not come back before them for determination. Any report of handling on an application pursuant to a proposal considered by the Pre-Application Forum will contain a very brief synopsis of the comments made by the Forum but the report itself will be based on an independent professional evaluation of the application by planning officers.
14. Training sessions will be offered to Councillors to assist them in adjusting to their new role in relation to pre-application consultation and its relationship with the Code of Conduct.
15. The applicant/agent will be expected to report on how they have, or have not, been able to address any issues raised by the Pre-Application Forum in the Pre-Application Consultation Report that is required to be submitted with any subsequent planning application.

GUIDANCE FOR MEMBERS

In relation to point 11 on the Procedure Note above, it might be helpful to outline a few points regarding the Councillors Code of Conduct and the Scottish Government's Guidance on the role of Councillors in Pre-Application procedures which will hopefully be helpful to the Members. These were discussed at the Training run by Burness Paull on the 28th of November, 2014.

So very briefly, The Code's provisions relate to the need to ensure a proper and fair hearing and to avoid any impression of bias in relation to statutory decision making processes. Having said that, in terms of the Scottish Government's Guidance on the role of Councillors in Pre-Application procedures:

- Councillors are entitled to express a provisional opinion in advance of a planning application being submitted but only as part of the Council's procedures (as detailed at item 1 to this agenda)

- No views may be expressed once the application has been submitted
- In terms of the role of the Forum, it meets to emphasise an outcome limited to the generation of a provisional view (on behalf of the Forum, rather than individual Members of the Forum) on the pre-application, this will allow:
 - Members to be better informed
 - An Early exchange of views
 - A greater certainty/more efficient processing of applications

Members of the Forum are entitled to express a provisional view, but should do so in a fair and impartial way, have an open mind and must not compromise determination of any subsequent planning application.

In terms of dealing with Pre-Applications, Members of the Forum should:

- Identify key issues
- Highlight concerns with the proposal/areas for change
- Identify areas for officers to discuss with applicants
- Identify documentation which will be required to support application

In terms of the Code of Conduct and any interest that Members of the Forum may have in a pre-application, it is worth reminding Members of the Forum that they must, however, always comply with the *objective test* which states “ *whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your discussion or decision making in your role as a councillor.*”

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PLANNING DEVELOPMENT MANAGEMENT COMMITTEE PRE-APPLICATION FORUM

ABERDEEN, 18 August 2015. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE PRE-APPLICATION FORUM.
Present:- Councillor Milne, Convener; Councillor Finlayson, Vice-Convener; and Councillors Boulton, Crockett, Greig, Jaffrey, Lawrence, Sandy Stuart and Thomson.

The agenda and reports associated with this minute can be found at:-
<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=511&MId=3718&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.

PROCEDURE NOTE AND GUIDANCE FOR MEMBERS

1. The Forum had before it the procedure note and guidance for members on the operation of Forum meetings.

The Forum resolved:-

to note the procedure note and guidance for members.

MINUTE OF PREVIOUS MEETING

2. The Forum had before it the minute of its previous meeting of 16 July 2015.

The Forum resolved:-

to approve the minute.

BT TELEPHONE ENGINEERING CENTRE, FROGHALL TERRACE - 150670

3. The Forum had before it a report by the Head of Planning and Sustainable Development on submission of a Proposal of Application Notice which outlined a potential in principle planning application promoted jointly by Telereal Trillium and BT, for the demolition and redevelopment of the BT engineering centre for student accommodation and flatted residential development.

The Forum heard from representatives of the applicant who outlined the proposal in greater detail and responded to questions from members.

Mr Nicholas Lawrence, the case officer, then addressed the Forum, providing more detail regarding the planning aspects of the application and responded to questions from members. In particular, Mr Lawrence advised that he would be having further

PRE-APPLICATION FORUM

18 June 2015

discussions with the applicant regarding the density and height of the proposed development as new information had very recently come to light.

The Forum resolved:-

- (i) to note that, at the consultation event in May 2015, residents had expressed support for redevelopment of the site however they were concerned at the scale and density of the student accommodation element on site and these concerns had been taken on board with proposals modified, however further discussion would be required between planning officers and the applicant in this regard;
- (ii) to note that residents had also expressed concern in regard to the impact on the local roads infrastructure, however a full suite of documents relating this and a number of other matters would be submitted in due course;
- (iii) to request the applicant to consider putting in place a management plan to deal with car parking; a robust landscaping strategy; and suitable factoring arrangements; and
- (iv) to otherwise note the key issues at this stage.

- **RAMSAY MILNE, Convener**.

PRE APPLICATION FORUM

GARTHDEE ROAD, (SITE OF FORMER CALEDON PUB)

DEMOLITION OF EXISTING BUILDING AND ERECTION OF STUDENT ACCOMMODATION TO PROVIDE UP TO 200 BEDSPACES OVER 3 TO 5 STOREYS WITH ASSOCIATED AMENITY SPACE

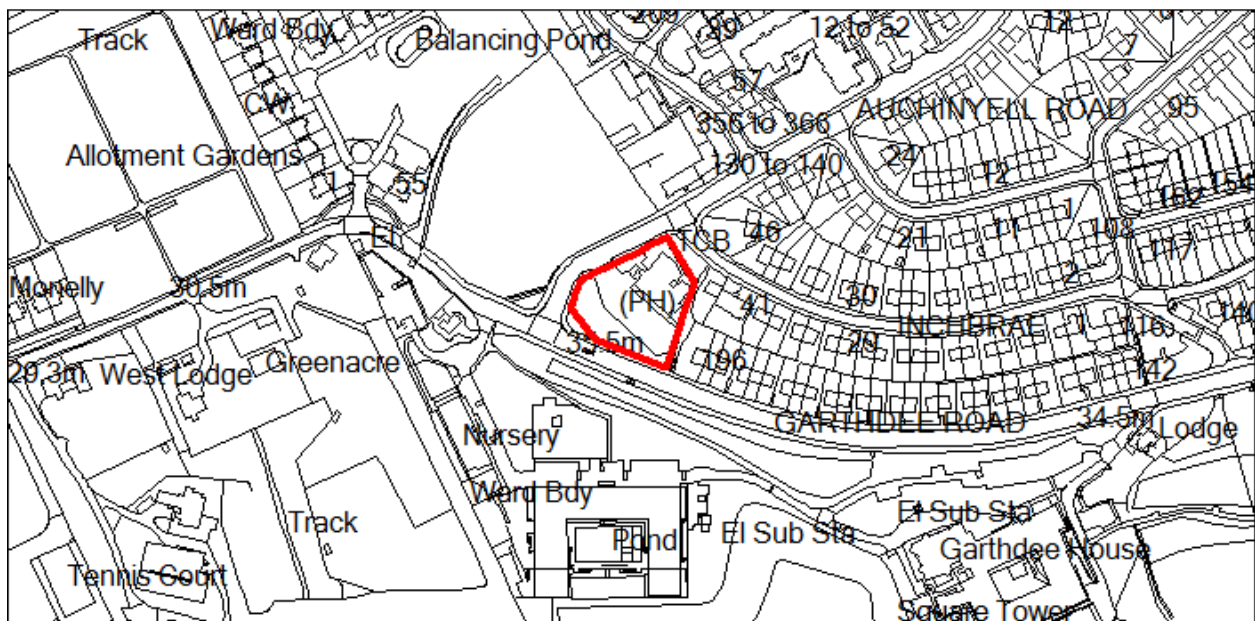
For: Locate Developments Ltd

Reference No: P151263

Officer: Paul Williamson

Pre-application Forum Date: 21 September 2015

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



SUMMARY

This is a report to the pre-application forum on a potential application by Locate Developments Ltd for the demolition of existing buildings and erection of student accommodation to provide up to 200 bedspaces over 3 to 5 storeys with associated amenity space.

In accordance with the provisions of the Town & Country Planning (Scotland) Act 1997 as amended, the applicant submitted a Proposal of Application Notice on 30th July 2015. The earliest date at which an application can be submitted is 22nd October 2015.

RECOMMENDATION

It is recommended that the Forum (i) note the key issues identified; (ii) if necessary seek clarification on any particular matters; and (iii) identify relevant issues which they would like the applicants to consider and address in any future application.

DESCRIPTION

The site comprises land at the corner of Garthdee Road, Auchinyell Road, and Inchbrae Terrace, towards the western edge of Garthdee. The buildings are currently in use as: a public house; an adjacent hot food take-away; and an Indian restaurant. Neighbouring uses are predominantly residential, with 2/3 storey properties on Auchinyell Road; 1/2 storey properties on Inchbrae Terrace, and 2 storey properties along this section of Garthdee Road. The 'Den of Pitfodels' Barratt's development of 60 dwellings is also nearing completion at North Garthdee Farm to the north of the application site, beyond an area of ground maintained by the Council. The Robert Gordon University Campus is on the opposite side of Garthdee Road to the south.

To the north of the site towards Inchbrae Terrace is a small amenity strip containing a number of mature trees, with a similar grassed amenity strip located at the corner of Garthdee Road and Auchinyell Road. The eastern boundary is formed by a footpath leading between Garthdee Road and Inchbrae Terrace. A number of mature trees are also located within the site itself.

The Pitfodels Conservation Area is beyond the boundaries of the application site, although surrounds the site to the north on the opposite side of Auchinyell Road, and to west and south on the opposite side of Garthdee Road.

RELEVANT HISTORY

- Planning permission (68/9/54) and (71/12/34) for the siting of a caravan.
- An application (72/3/83) for change of use of Caledon House to Licensed Premises.
- Planning permission (72/4/78) for alterations and extensions.
- Planning permission (72/10/125) for a new public house.
- Planning permission (A0/0495) for the change of use of the lounge bar to a fish and chip shop was granted on 6 July 2000.

PROPOSAL

The proposal of application notice is for the demolition of existing buildings and erection of student accommodation to accommodate up to 200 bedspaces over 3 to 5 storeys and accommodation, together with some car parking and landscaping works.

CONSIDERATIONS

The main considerations against which a planning application would be assessed are outlined as follows –

Principle of Development

The site is zoned for residential use (Policy H1 of the Aberdeen Local Development Plan). The suitability of the location for a development of student accommodation within the residential area, would be examined, taking into account the site's proximity to the Robert Gordon University campus, and its potential to conflict with existing residential uses. The specific criteria for development which would be considered complimentary to residential use, together with the need for such accommodation would also need to be taken into account.

Design and Layout

The layout/scale of the buildings, extent of car parking and landscaping would be determined at application stage. A high standard of design is expected for all applications within the City Council area, and particularly a site which is in such close proximity to the Pitfodels Conservation Area.

Transportation

The traffic impact of the development would be assessed as part of any application submission. Access to and from the site would also be examined. A suitable level of car, cycle and motorcycle parking would be agreed and the proposals would be expected to accord with transportation policies within the LDP and the Council's Supplementary Guidance on Transport and Accessibility. It is expected that adequate consideration would be given to the inclusion of sustainable transportation measures for this site, and the wider linkages to cycle and pedestrian paths.

Other Infrastructure

It is expected that both surface and foul drainage would discharge into the public sewer networks within the area. A drainage impact assessment would be required in order to demonstrate that the development could be adequately drained.

Details of storage for waste and recyclables would be required.

Proposed Aberdeen Local Development Plan

The Proposed ALDP was approved at the meeting of the Communities, Housing and Infrastructure Committee of 28 October 2014. It constitutes the Council's settled view as to what should be the content of the final adopted ALDP and is now a material consideration in the determination of planning applications, along with the adopted ALDP. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether:

- these matters have been subject to public consultation through the Main Issues Report; and
- the level of objection raised in relation these matters as part of the Main Issues Report; and
- the relevance of these matters to the application under consideration

The foregoing can only assessed on a case by case basis. In relation to this particular pre-application submission, the policies reiterate those within the extant local development, as there are no material changes between the two plans.

PRE-APPLICATION CONSULTATION

The proposal of application notice details the level of consultation which was undertaken and that comprised –

- A public drop-in event was held on 11 August 2015 between 2 and 7 pm at the Balmoral Suite, Norwood Hall Hotel, Garthdee Road, Aberdeen
- The developer wrote to Garthdee Community Council advising of the proposal and offered to attend a community council meeting. The developer was also advised to invite the Cults Bieldside and Milltimber Community Council in light of the boundary being in close proximity to the application site.
- The developer wrote to the Airyhall/Broomhill/Garthdee ward Councillors advising of the proposal and extending an invite to the public event.

CONCLUSION

This report highlights the main issues that are likely to arise in relation to the various key considerations of the proposed development. It is not an exhaustive list and further matters may arise when the subsequent application is submitted. Consultees will have the opportunity to make representations to the proposals during the formal application process.

RECOMMENDATION

It is recommended that the Forum (i) note the key issues identified; (ii) if necessary seek clarification on any particular matters; and (iii) identify issues which they would like the applicants to consider and address in any future application.