

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 20 July 2017. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Marie Boulton, Convener; Councillor Jennifer Stewart, Vice Convener; and Councillors Alphonse, Cooke, Copland, Lesley Dunbar, Greig, Henrickson (as substitute for Councillor Cormie), John, Mason (as substitute for Councillor Donnelly), McLellan, Nicoll (as substitute for Councillor Hutchison), Sellar, Stuart and Wheeler.

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

<https://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=348&MId=4367&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 THE PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 15 JUNE 2017 - FOR APPROVAL

1. The Committee had before it the minute of its previous meeting of 15 June 2017 for approval.

The Committee resolved:-

to approve the minute as a correct record.

COMMITTEE TRACKER

2. The Committee had before it a tracker of future committee business.

The Committee resolved:

to note the information contained in the committee report tracker.

DECLARATION OF INTEREST

Councillor Nicoll declared a personal interest in the following article by virtue of knowing an objector to the application. Councillor Nicoll withdrew from the meeting prior to consideration of the application and took no part in the deliberation.

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1 DESSWOOD PLACE - 161743

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

That the application for the extension of floor space in use for the existing café and the part change of use from retail to café, at 1 Desswood Place, be approved subject to the following conditions:-

- 1) That the proposed café use hereby approved shall not operate other than during the hours from 8.00 am until 11.00 pm on any day, unless the planning authority has given prior written approval for a variation.

Reason- in order to preserve the amenity of the neighbourhood.

- 2) That a scheme for implementation of the proposed mitigation measure in form of a suspended ceiling with necessary acoustic insulation shall be submitted and approved by the Council (as planning authority) and fully implemented in complete accordance with the said scheme within 4 month of this decision.

Reason- in order to safeguard the amenities of nearby occupiers.

ADVISORY NOTE

For the avoidance of doubt the planning consent hereby recommended does not give or imply the granting of consent for any works to the listed building and separate applications for Listed Building Consent and Building Warrant should be submitted for implementation of the suspended ceiling.

Sepi Hajisoltani spoke in furtherance of the report and answered questions from members. Ms Hajisoltani advised that condition 2 could be amended to reflect a revised time period for implementation, should the application be approved.

The Convener moved, seconded by Councillor Copland:-

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

The Vice Convener moved as an amendment:-

That the application be refused, as the application would result in a detrimental impact on the residents' amenity as well as their quality of life. There were also concerns in regards to parking in the area and concerns regarding refuse.

The Vice Convener's amendment failed to attract a seconder and therefore was not put to the vote.

The Committee resolved:-

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- (i) to agree that condition 2 be amended to read:- that the change of use hereby granted shall not take place unless a detailed scheme for the proposed mitigation measure in the form of a suspended ceiling with necessary acoustic insulation, including a time period for implementation, has been submitted to the planning authority within 4 weeks of the date of this decision. The change of use hereby granted shall not subsequently take place unless any scheme thereby approved is being complied with in its entirety – in the interests of protecting residential amenity; and
- (ii) to otherwise approve the application subject to the conditions contained within the report.

HIGH STREET OLD ABERDEEN- FORMER PUBLIC TOILETS - 170524

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

That the application for a change of use from old public toilets to form a new coffee house and café at High Street, Old Aberdeen, be approved, subject to the following conditions.

- (1) That no cooking or frying shall take place on the premises unless a suitable scheme capable of filtering, extracting and dispersing cooking fumes and a maintenance plan for the aforementioned scheme has been submitted to, and agreed in writing by the Council as planning authority. Such a scheme shall be accompanied by a noise assessment to ascertain the predicted impacts of noise associated with the extract system. Thereafter the approved scheme shall be implemented and maintained in full accordance with the agreed details prior to the carrying out of any cooking or frying on the premises.

Reason: In the interests of preserving the amenity of neighbouring residential properties.

- (2) That the use of the building for the purpose hereby approved shall not commence until such time as the bin storage area as shown in approved drawings WD.01 Rev F and WD.02 Rev F has been implemented in full accordance with the approved details, or with a similar scheme which has been submitted to, and agreed in writing by, the Council as planning authority.

Reason: In the interests of preserving the appearance and amenity of the area.

- (3) That no works in connection with the hereby approved development shall take place until such time as a detailed specification for the glazed gable (including sectional drawings of the glazing bars) and material samples for the following

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external finishes have been submitted to, and agreed in writing with the Council, as planning authority:

- The render to be used for the side and rear walls;
- The timber linings for the external walls;
- The natural slates for the roof; and
- The granite to be used in the resurfacing of Baillie's Place.

Reason: In the interests of preserving the character and appearance of the conservation area.

- (4) That prior to the occupation of the hereby approved building, the resurfacing of the external yard area (Baillie's Place) as shown in approved drawing WD.01 Rev F shall be implemented in full accordance with the approved details.

Reason: In the interests of preserving the character and appearance of the conservation area.

- (5) No demolition or any other works in connection with the development hereby approved shall commence unless a photographic survey of the existing building on the application site has been submitted to and approved in writing by the planning authority. All external and internal elevations of the building together with the setting of the building and any unusual features of the existing building shall be photographed. The photographic viewpoints must be clearly annotated on a plan to accompany the survey. The photographs and plan must be in a digital format and must be clearly marked with the planning reference number.

Reason: To ensure that a historic record of the building is made for inclusion in the National Monuments Record for Scotland and in the local Sites and Monuments Record.

- (6) The developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the Aberdeenshire Council Archaeology Service on behalf of the planning authority, during any ground breaking works to take place within the footprint of the existing building. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record and recover items of interest and finds. Terms of Reference for the watching brief will be supplied by the Aberdeenshire Council Archaeology Service if required. The name of the archaeological organisation retained by the developer shall be given to the planning authority and to the Aberdeenshire Council Archaeology Service in writing not less than 14 days before development commences.

Reason: To record items of archaeological interest.

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ADVISORY NOTE FOR APPLICANT**Signage and advertisements**

The applicant should be aware that advertisement consent will likely be required for any proposed signage to be attached to the building and they should seek advice from the planning department in advance of installing any such signage for the premises, in order to ascertain whether consent is required and whether or not it is likely to be acceptable upon the submission of an application.

Programme of archaeological works

In this particular instance the programme of works will consist of an archaeological watching-brief on any ground-breaking works associated with the development in the first instance.

Hours of construction

In order to protect the occupiers of the surrounding properties from any potential noise nuisance from any proposed demolition and building works; such work should not occur:

- [a] outwith the hours of 0700 –1900 hours, Monday-Friday inclusive;
- [b] outwith the hours of 0800-1600 hours on Saturdays; and
- [c] at any time on Sundays, except for works inaudible outwith the site application site boundary.

The applicant should contact the Council's Environmental Health Service at an early stage and before construction work has started to discuss the proposed means of noise control.

Delivery/Uplift times

Service deliveries/uptifts to and from the premises should not occur outwith the hours of 7am – 7pm Monday to Friday and 8am - 1pm on Saturdays, in order to preserve the amenity of neighbouring residential properties.

Environmental Odour and Noise Control

1. Where a Local Extract Ventilation (LEV) system is not installed: all cooking activities are prohibited; including, oven cooking, boiling, stewing grilling/broiling, deep fat frying or shallow frying, to remove the risk of malodour from cooking activities to help protect the amenity of the occupants of the neighbouring residences.
2. Where an LEV system is not installed: permitted activities relating to hot foods are limited to appropriate means of re-heating and hot holding of precooked products only, to reduce the risk of malodour from reheating activities, in order to protect the amenity of the occupants of the neighbouring residences.

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3. Where an LEV system is to be installed to remove food odours and fumes, the applicant must ensure an appropriate assessment, in accordance with relevant guidance (for example: DEFRA document 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' and associated references) is carried out by a competent person. The purpose of this assessment is to establish the necessary air extraction flow rate based on the activities and equipment, the necessary specification of the LEV equipment and mitigation measures required to effectively; filter, neutralise, extract and disperse cooking fumes produced by the activities to be undertaken. The details of this assessment and its findings must then be submitted to this Service for review, in the form of a suitable report by a competent person to the satisfaction of this Service. This report must fully demonstrate the minimum design specification of the LEV equipment and odour/fume control measures and their effectiveness.

4. Where an LEV system is to be installed to remove food odours and fumes a noise assessment by a suitably qualified noise consultant must be carried out in order to ascertain the predicted impacts of noise associated with the system and necessary controls. The methodology for such an assessment must be agreed with this Service. Details of this assessment and its findings must be submitted to this Service for review, in the form of a suitable report to the satisfaction of this Service. This report must fully demonstrate the effectiveness of any noise controls.

Right of access servitude over Baillie's Place

The applicant is reminded that there is a servitude over Baillie's Place for right of access and any items placed in this area should not interfere with the existing servitude that serves the neighbouring property.

The Committee heard from Alex Ferguson, Planning Officer, who spoke in furtherance of the report and answered various questions from members.

The Convener, seconded by the Vice Convener, moved:-

that the application be approved in accordance with the recommendation set out in the report.

Councillor McLellan moved as amendment, seconded by Councillor Nicoll:-

that an extra condition be added so that the external area adjacent to the building on Baillie's Place shall not be used for the provision of outdoor seating associated to the Class 3 use of the site.

On a division, there voted:- for the motion (5) – the Convener, the Vice Convener, and Councillors Lesley Dunbar, Greig and Mason; for the amendment (10) Councillors Alphonse, Cooke, Copland, Henrickson, John, McLellan, Nicoll, Sellar, Stuart and Wheeler.

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The Committee resolved:-

- (i) to agree that the extra condition be added, to read:- that the external area adjacent to the building on Baillie's Place shall not be used for the provision of outdoor seating associated to the hereby approved Class 3 use of the site, in the interests of preserving the amenity of the area; and
- (ii) to otherwise approve the application conditionally.

UNIT 4, LOIRSTON AVENUE - 170477

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

That the application for a change of use from a Class 1 retail unit to hot food takeaway and installation of replacement shop front, at Unit 4, Loirston Avenue, be approved subject to the following condition:-

Prior to the hereby approved development coming into use, all noise and odour mitigation measures outlined in the submitted Noise & Odour Impact Assessment shall be implemented in full and shall remain in place for the lifetime of the development unless otherwise agreed in writing by the Planning Authority.

Reason: In the interest of neighbouring properties and the public's general amenity.

ADVISORY NOTE FOR APPLICANT

1) Advertisement Consent would be needed before installing any signage within the shopfront. Subsequently, an Advertisement Consent application would need to be submitted to the Planning Service for their consideration and approval before carrying out such works.

2) Commercial waste should not be stored on the street any day of the week otherwise it makes a business liable for a £500 fine per bin as per Council Policy adopted in 2009.

The Committee resolved:-

to approve the application conditionally.

PINEWOOD ZONE F, COUNTESSWELLS ROAD - 170243

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

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That the application for the erection of 116 dwellings comprising 2 apartment blocks, 35 houses and retirement apartment block, with amenity space and associated infrastructure, at Pinewood Zone F, Countesswells Road Aberdeen, be approved conditionally and subject to the completion of a Section 75 legal agreement.

Conditions

1. Prior to occupation of the first unit, the applicant/developer shall submit a Residential Travel Plan to the Planning Authority for approval in consultation with the Roads Service, and once approved shall be issued to the new owners of each unit prior to their occupation.

Reason: To ensure occupants are made aware of the different ranges of transport available to access the development.

2. Prior to commencement of development, the applicant/developer shall provide evidence to the Planning Authority, for their approval, that they have reached an agreement with a public transport operator in which to provide a bus service from the bus stop shown on the approved Site Plan within a time period to be agreed with the Planning Authority after the first unit is occupied.

Reason: To ensure the development can be served by a sustainable means of transport.

3. Prior to commencement of development, the applicant/developer shall provide full details of traffic-calming measures to be implemented within the development to the Planning Authority for approval in consultation with the Roads Service. Once approved, the traffic-calming measures shall be implemented in a timescale to be agreed with the Planning Authority.

Reason: To ensure the development complies with Designing Streets guidance and minimizes the risk of road safety issues.

4. Prior to commencement of development, the applicant/developer shall submit details of how a temporary turning-circle could be provided to allow refuse vehicles and visitors to turn within the area, prior to the internal road layout is connected to the zone to the north of the site. Once approved, the turning circle shall be implemented until the internal road network is connected to the adjoining phase of development.

Reason: To ensure visiting vehicles have sufficient space in which to safely manoeuvre within the site in order to minimise road safety risk.

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5. Prior to commencement of development, the applicant/developer shall provide full details/ samples of all external finishes to the hereby approved building including downpipes, roofing materials, doors, windows and balustrade for approval by the Planning Authority.

Reason: To ensure that the development would remain in-keeping with the character and appearance of the surrounding area.

6. Prior to occupation of the first unit, the applicant/developer shall provide full details of secure storage for motorcycles and bicycles within the site for the approval by the Planning Authority. Once approved, the secure storage facilities shall be implemented in full prior to occupation of the first unit.

Reason: To ensure occupants means of transport can be securely stored thus minimizing the opportunity for crime.

7. Prior to commencement of development, the applicant/developer shall provide full details of the energy efficiency rating of each individual habitable building within the development for approval by the Planning Authority. Once approved, the construction of each building should be carried out to ensure that the approved energy efficiency levels are achieved.

Reason: To ensure compliance with Policy R7 in the ALDP 2017 and its associated Supplementary Guidance.

8. Prior to commencement of development, the applicant/developer shall submit details of water-saving technologies and techniques to be incorporated into the design of each new building within the site for approval by the Planning Authority. Once approved, all water-savings measures shall be implemented in full prior to the occupation of each unit.

Reason: In order to minimise water abstraction from the River Dee and to comply with the requirements of Policy R7 in the ALDP 2017 and its associated supplementary guidance.

9. Prior to commencement of development, protective fencing shall be placed around the Root Protection Areas (RPAs) pertaining to each tree to be retained outlined in the 'Tree Survey Drawing' which accompanies the submitted Tree Survey and shall remain in-situ until all buildings work associated with the buildings closest to each fence has been completed.

Reason: To ensure that existing trees of high landscape character and amenity value are not damaged or removed during the construction phase of development.

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10.No materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the Root Protection Areas of each tree identified on the submitted 'Tree Survey Drawing' 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 trunk.

Reason: In order to ensure adequate protection for trees adjacent to the site during the construction of the development.

11.Prior to commencement of development, the applicant/developer shall submit details of a Lighting Strategy which outlines where they intend to position lights within the site during the construction phase of development. Once approved, the Lighting Strategy shall strictly be adhered to throughout the course of construction to minimise disturbance to bats roosting in the area.

Reason: To ensure bats likely to be roosting within trees in the surrounding area are not unduly disturbed.

12.Prior to commencement of development, the applicant/developer shall submit a Construction Environment Management Plan (CEMP) for approval by the Planning Authority in consultation with SEPA which details how the existing water environment will be protected during construction and how materials and waste will be managed on site. Once approved, the CEMP shall be adhered to in full for the timeline set out in the approved document unless otherwise agreed in writing by the Planning Authority.

Reason: To ensure the construction phase of development does not give rise to any undue adverse impacts on the natural water environment.

13.Prior to occupation of the first unit, the developer shall implement the proposed SuDS scheme in full unless otherwise agreed in writing with the Planning Authority.

Reason: To ensure the development does not give rise to any undue localised flooding.

14.Prior to commencement of development, the applicant/developer shall submit a statement to the Planning Authority for approval, detailing how the development shall have/ provide access to modern, up to date high speed communications infrastructure. Thereafter each phase of development shall be supported by a detailed statement setting out how such measures have been designed into the built form and what standards of digital connectivity this will bring. The approved measures shall thereafter be implemented in accordance with the approved details.

Reason: To ensure compliance with Policy CI1 in the ALDP 2017 and Scottish Planning Policy.

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15. That any person occupying any unit with the hereby approved 'Over 55 retirement' apartment block (Block C) on a temporary or permanent basis shall be of an age of 55 years old or over.

Reason: In the interests of maintaining control over who occupies this part of the development.

16. All hard and soft landscaping proposals shall be carried out in accordance with the approved Landscaping Strategy and Planting Schedule, which shall be completed during the planting season immediately following the commencement of the development or as otherwise agreed in writing with the Planning Authority. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted. In addition, prior to the commencement of the implementation of the approved scheme, detailed proposals for a programme for the long term management and maintenance of all the approved landscaped and open space areas within the development shall be submitted for the further written approval of the Planning Authority. Thereafter, all management and maintenance of the landscaped and open space areas shall be implemented, in perpetuity, in accordance with the approved programme.

Reason: To ensure the implementation of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area and to ensure that the landscaping is managed and maintained in perpetuity.

ADVISORY NOTE FOR APPLICANT

- 1) Any engineering works within the water environment will require authorisation from the Scottish Environment Protection Agency (SEPA) under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended). SEPA are contactable on: 01224 266609.
- 2) Prior to making a connection to the public water supply and sewerage system, maintained by Scottish Water, the applicant/developer shall need to obtain the separate prior approval from Scottish Water in order to legally do this. Scottish Water is contactable on: 0800 389 778.
- 3) The applicant/developer should contact ACC Waste Service a minimum of 2 months prior to occupation of each unit.

The Vice Convener requested that a site visit be held in regards to the application.

Jamie Leadbeater, Planning Officer, spoke in furtherance of the application and answered various questions from members.

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The Committee resolved:-

- (i) to agree that the application be deferred for a site visit on Thursday 27 July 2017 to allow the application to be determined;
- (ii) to request that additional information be supplied to members on the following, before the site visit:-
 - Information on the affordable housing element of the application (Planning)
 - To look at the previous section 75 agreement that is in place in order to establish whether the Council is bound by the previous decisions in regards to the amount of affordable housing required ; (Legal)
 - To look at a previous report to Finance, Policy & Resources Committee in regards to Pinewood and to establish if it affects the application; (Legal)
 - Information on the capacity of Hazlehead Primary and Secondary school. It was noted that there may be over-capacity at both schools due to the proposed application; (Education)
 - Clarification on whether a TPO exists; and
- (iii) to otherwise note the information provided.

THE HAMILTON SCHOOL, 55-57 QUEENS ROAD - 161022

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

That the application for the formation of a new hotel, bar and restaurant including change of use of a former school, demolition of existing school extension and dwellinghouse and associated infrastructure and landscaping works at 55-57 Queens Road, be approved subject to the following conditions.

1. STONE CLEANING METHODOLOGY

No stone cleaning works shall be carried out unless a report by an appropriately qualified consultant has first been submitted to and agreed in writing by the planning authority. This report shall be undertaken in accordance with Aberdeen City Council's relevant Stone Cleaning Supplementary Guidance and the methodology set out in Historic Environment Scotland's Technical Advice Note 9: Stonecleaning of Granite Buildings.

Thereafter, stone cleaning works shall be undertaken only in full accordance with the recommendations contained within the agreed report - in the interest of preserving the historic fabric of a listed building.

2. REFUSE & RECYCLING

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No development pursuant to the consent hereby granted shall be undertaken unless a scheme detailing the following has been submitted to and approved in writing by the planning authority:

- a. An area of hard standing at storage and collections point(s)
- b. Bin storage areas to ideally be provided with a gulley and wash down facility for the interest of hygiene

Thereafter, the development shall not be occupied unless these measures have been provided in full – in order to ensure that the site has sufficient space for the storage and disposal of waste and recycling materials.

3. CYCLE AND MOTORCYCLE PARKING

That the development hereby granted planning permission shall not be occupied unless a scheme detailing the location and design of cycle and motorcycle parking facilities 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.

4. TRAVEL PLAN

That within 6 months of first occupation, and no earlier than 3 months from that date, a full travel plan, which expands on the methodology set out in the Travel Plan Framework submitted as part of the application, must be submitted to and agreed in writing by the planning authority - in order to encourage sustainable travel.

5. TREE PROTECTION

that no development shall take place unless a scheme for the protection of all trees to be retained on the site during construction works has been submitted to, and approved in writing by, the Planning Authority and any such scheme as may have been approved has been implemented - in order to ensure adequate protection for the trees on site during the construction of the development.

6. TREES – MANAGEMENT SCHEME

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, unless the planning authority has given prior written approval for a variation - in order to preserve the character and visual amenity of the area.

7. FURTHER TREE WORK

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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.

8. TREES – STORAGE OF MATERIALS

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.

9. CAR PARKING

that the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing Nos. 10271-PL(--)10-Rev C and 10271-PL(--)09-Rev C of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any 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.

10. DRAINAGE WORKS

that the development hereby granted planning permission shall not be occupied unless all drainage works detailed on Ramsay & Chalmers Plan No 102-Rev A or such other plan as may subsequently be approved in writing by the planning authority for the purpose have been installed in complete accordance with the said plan - in order to safeguard water qualities in adjacent watercourses and to ensure that the proposed development can be adequately drained.

11. LANDSCAPING SCHEME

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 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. NOISE ASSESSMENT

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that no development pursuant to this planning permission shall take place nor shall the building be occupied unless there has been submitted to and approved in writing for the purpose by the Planning Authority an assessment of the noise levels likely within the building, unless the planning authority has given prior written approval for a variation. The assessment shall be prepared by a suitably qualified independent noise consultant and shall recommend any measures necessary to ensure a satisfactory noise attenuation for the building. The property shall not be occupied unless the said measures have been implemented in full - in the interests of residential amenity.

13. CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN

No development shall commence on site until a construction environmental management plan has been submitted to, and approved in writing by, the Planning Authority in consultation with SEPA. All works on site must be undertaken in accordance with the approved plan unless otherwise agreed in writing with the Planning Authority.

Reason: In order to minimise the impacts of construction and demolition works on the environment.

14. NOISE FROM FIXED PLANT AND EQUIPMENT

No development related to the implementation of this consent shall be undertaken unless a noise assessment by a suitably qualified noise consultant, assessing the potential for adverse impact on the amenity of occupants of neighbouring residential properties from noise sources associated with the proposed development, has been submitted to and agreed in writing by the planning authority.

Thereafter, the use hereby approved shall not be commenced unless any identified mitigation measures have been identified in full.

This assessment should:

- a) Be in accordance with Planning Advice Note (PAN) 1/2011 Planning and Noise and its accompanying Technical Advice Note.
- b) Include assessments; BS4142:2014, BS8233, WHO, NR25 (night time) and NR35 (day time) internally within the nearest residential properties.
- c) Identify the likely sources of noise associated with the proposed development with potential to impact on neighbouring properties.
- d) Identify the existing sources of noise potentially impacting on the proposed development.
- e) Detail the noise mitigation measures to reduce noise from the existing and likely noise sources to an acceptable level to reasonably protect the amenity of the occupants of the proposed and existing neighbouring residences respectively.

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f) The methodology for the noise assessment should be submitted and agreed in writing with this Service in advance of the assessment

- In order to ensure that appropriate mitigation measures are implemented to prevent undue impact on residential amenity as a result of excessive noise.

15. ODOUR CONTROL

The use hereby approved shall not be commenced unless suitable and adequate means of filtering, neutralising, extracting and dispersing of cooking fumes has been installed within the premises, in accordance with a detailed scheme which has first been submitted to and approved in writing by the planning authority.

Reason – in order to prevent any adverse impact on residential amenity as a result of odour.

16. NOISE FROM GROUND PREPARATION AND CONSTRUCTION WORKS

No development pursuant to implementation of this consent shall be undertaken unless a scheme for the provision of suitable solid hoarding (of minimum 2m height) with acoustic properties to be erected around the development site boundary during site/ground preparation works and construction has been submitted to and agreed in writing by the planning authority.

Thereafter, development shall be undertaken in accordance with any scheme so agreed - In order to protect amenity of the occupants of the neighbouring residences from noise produced as a result of demolition, site/ground preparation works and construction works.

17. TRANSPORT ANALYSIS AND MITIGATION

That no development pursuant to the implementation of this consent shall be undertaken unless a scheme for the assessment of this development's impact on the local transport network (including comparison of trip generation data relating to the proposed development and the former use of the site as a school and identification of necessary mitigation measures) has been submitted to and approved in writing by the planning authority. Thereafter the use hereby approved shall not be commenced unless either the identified mitigation measures have been implemented in full, or a financial contribution equivalent to those works has been made per a written agreement with the planning authority - in the interests of mitigating the impact of the proposed development on the local transport network.

18. RESTRICTION ON PUBLIC ACCESS TO LANDSCAPED REAR TERRACE

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That there shall be no public access to the landscaped terrace areas to the rear of the approved extension. Access shall be taken for landscaping and maintenance purposes only – in the interests of protecting residential amenity.

ADVISORY NOTE FOR APPLICANT

1) NOISE FROM DELIVERIES AND REFUSE DISPOSAL

In order to protect amenity of the occupants of the neighbouring residences and prevent any

potential noise nuisance caused by deliveries or refuse disposal, it is recommended that such operations should not occur:

- a) outwith the hours of 0700 1900 Hours, Monday to Saturdays inclusive, and
- b) outwith the hours of 1000 1600 Hours on Sundays

2) CONTAMINATION - should any contamination of the ground be discovered during development the Planning Authority should be notified immediately. The extent and nature of the contamination should be investigated and a suitable scheme for the mitigation of any risks arising from the contamination should be agreed and implemented to the satisfaction of the Planning Authority. - reason: to ensure that the site is suitable for use and fit for human occupation

The Committee resolved:-

- (i) to agree that the application be deferred for a site visit on Thursday 27 July 2017 to allow the application to be determined; and
- (ii) to otherwise note the information provided.

PLANNING ENFORCEMENT ACTIVITY/REPORT - APRIL 2016 TO MARCH 2017 - CHI/17/174

8. The Committee had before it a report by the Interim Director of Communities, Housing and Infrastructure, which provided information on the planning enforcement work that had been undertaken by the Planning and Sustainable Development Service from 1 April 2016 to 31 March 2017.

The Committee resolved:-

- (i) to note the content of the report; and
- (ii) to request that members contact Robert Forbes directly with any questions.

LAND AT GREENRIDGE - CONFIRMATION OF TREE PRESERVATION ORDER 243 (2017) GREENRIDGE - CHI/17/170

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

20 July 2017

9. The Committee had before it a report by the Interim Director of Communities, Housing and Infrastructure, which requested the confirmation of a provisional Tree Preservation Order entitled 243 (2017) Land at Greenridge.

The report outlined that the provisional order currently provided temporary protection for the trees, but required to be confirmed to provide long term protection.

The Committee resolved:-

to confirm the making of Tree Preservation Order 243 (2017) Land at Greenridge and instruct the Head of Legal and Democratic Services to attend to the requisite procedures to serve the Order as confirmed upon the interested parties and seek to register the Order with the Registers of Scotland.

- **COUNCILLOR MARIE BOULTON, Convener**

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE
20 July 2017