

Public Document Pack



To: Councillor Boulton, Convener; Councillor Councillor Stewart, the Depute Provost, Vice Convener; and Councillors Allan, Cooke, Copland, Cormie, Greig, Avril MacKenzie and Malik.

Town House,
ABERDEEN 13 March 2019

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

The Members of the **PLANNING DEVELOPMENT MANAGEMENT COMMITTEE** are requested to meet in Committee Room 2 - Town House on **THURSDAY, 21 MARCH 2019 at 10.00 am.**

FRASER BELL
CHIEF OFFICER - GOVERNANCE

BUSINESS

MEMBERS PLEASE NOTE THAT ALL LETTERS OF REPRESENTATION ARE NOW AVAILABLE TO VIEW ONLINE. PLEASE CLICK ON THE LINK WITHIN THE RELEVANT COMMITTEE ITEM.

MOTION AGAINST OFFICER RECOMMENDATION

- 1.1 Motion Against Officer Recommendation - Procedural Note (Pages 5 - 6)

DETERMINATION OF URGENT BUSINESS

- 2.1 Determination of Urgent Business

DECLARATION OF INTERESTS

- 3.1 Members are requested to intimate any declarations of interest (Pages 7 - 8)

MINUTES OF PREVIOUS MEETINGS

- 4.1 Minute of Meeting of the Planning Development Management Committee of 21 February 2019 - for approval (Pages 9 - 24)
- 4.2 Minute of Meeting of the Planning Development Management Committee (Visits) of 28 February 2019 - for approval (Pages 25 - 30)

COMMITTEE BUSINESS PLANNER

- 5.1 Committee Business Planner (Pages 31 - 32)

WHERE THE RECOMMENDATION IS ONE OF APPROVAL

- 6.1 Installation of 12.3 metre high steelwork pole with 2 no. antennas and associated works - Land to South of Stoneyhill Terrace, Cove Bay, Aberdeen - 190059 (Pages 33 - 38)

Planning Reference – 190059

All documents associated with this application can be found at the following link:-

<https://publicaccess.aberdeencity.gov.uk/online-applications/>

Planning Officer: Sepi Hajisoltani

DATE OF NEXT MEETING

- 7.1 Date of Next Meeting - Thursday 18 April at 10am

To access the Service Updates for this Committee please click [here](#)

Website Address: www.aberdeencity.gov.uk

Please note that Daniel Lewis, Development Management Manager, will be in Committee Room 2 from 9.30am for Members to view plans and ask any questions.

Should you require any further information about this agenda, please contact Lynsey McBain, Committee Officer, on 01224 522123 or email lymcbain@aberdeencity.gov.uk

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MOTIONS AGAINST RECOMMENDATION

Members will recall from the planning training sessions held earlier this year that there is statutory requirement through Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997 for all planning applications to be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. All Committee reports to Planning Development Management Committee are evaluated on this basis.

It is important that the reasons for approval or refusal of all applications are clear and based on valid planning grounds. This will ensure that applications are defensible at appeal and the Council is not exposed to an award of expenses.

Under Standing Order 26.9 the Convener can determine whether a motion or amendment is competent, and may seek advice from officers in this regard.

With the foregoing in mind the Convener has agreed to the formalisation of a procedure whereby any Member wishing to move against the officer recommendation on an application in a Committee report will be required to state clearly the relevant development plan policy(ies) and/or other material planning consideration(s) that form the basis of the motion against the recommendation and also explain why it is believed the application should be approved or refused on that basis. Officers will be given the opportunity to address the Committee on the competency of the motion. The Convener has the option to call a short recess for discussion between officers and Members putting forward a motion if deemed necessary.

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Agenda Item 3.1

You must consider at the earliest stage possible whether you have an interest to declare in relation to any matter which is to be considered. You should consider whether reports for meetings raise any issue of declaration of interest. Your declaration of interest must be made under the standing item on the agenda, however if you do identify the need for a declaration of interest only when a particular matter is being discussed then you must declare the interest as soon as you realise it is necessary. The following wording may be helpful for you in making your declaration.

I declare an interest in item (x) for the following reasons

For example, I know the applicant / I am a member of the Board of X / I am employed by...
and I will therefore withdraw from the meeting room during any discussion and voting on that item.

OR

I have considered whether I require to declare an interest in item (x) for the following reasons however, having applied the objective test, I consider that my interest is so remote / insignificant that it does not require me to remove myself from consideration of the item.

OR

I declare an interest in item (x) for the following reasons however I consider that a specific exclusion applies as my interest is as a member of xxxx, which is

- (a) a devolved public body as defined in Schedule 3 to the Act;
- (b) a public body established by enactment or in pursuance of statutory powers or by the authority of statute or a statutory scheme;
- (c) a body with whom there is in force an agreement which has been made in pursuance of Section 19 of the Enterprise and New Towns (Scotland) Act 1990 by Scottish Enterprise or Highlands and Islands Enterprise for the discharge by that body of any of the functions of Scottish Enterprise or, as the case may be, Highlands and Islands Enterprise; or
- (d) a body being a company:-
 - i. established wholly or mainly for the purpose of providing services to the Councillor's local authority; and
 - ii. which has entered into a contractual arrangement with that local authority for the supply of goods and/or services to that local authority.

OR

I declare an interest in item (x) for the following reasons.....and although the body is covered by a specific exclusion, the matter before the Committee is one that is quasi-judicial / regulatory in nature where the body I am a member of:

- is applying for a licence, a consent or an approval
- is making an objection or representation
- has a material interest concerning a licence consent or approval
- is the subject of a statutory order of a regulatory nature made or proposed to be made by the local authority.... and I will therefore withdraw from the meeting room during any discussion and voting on that item.

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PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 21 February 2019. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Boulton, Convener; Councillor Jennifer Stewart, Vice Convener; and Councillors Allan, Cooke, Copland, Cormie, Graham (as substitute for Councillor Malik), Greig and Lumsden (as substitute for Councillor MacKenzie).

The agenda and reports associated with this minute can be found [here](#).

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 24 JANUARY 2019

1. The Committee had before it the minute of the previous meeting of 24 January 2019, for approval.

The Committee resolved:-

to approved the minute as a correct record.

COMMITTEE PLANNER

2. The Committee had before it a planner of future Committee business.

The Committee resolved:-

to note the information contained within the Committee report planner.

ERECTION OF THREE DWELLING HOUSES AND ASSOCIATED INFRASTRUCTURE - ROCKLANDS, CRAIGTON ROAD, ABERDEEN

3. The Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for planning permission in principle for the erection of three dwelling houses and associated infrastructure at Rocklands, Craigton Road, Aberdeen, be approved subject to the following conditions:-

Conditions

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1. Details of the specified matters listed below shall be submitted for consideration by the planning authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No development shall begin on the site unless all of the details listed in this condition have been submitted to and approved in writing by the planning authority. The development shall be carried out in complete accordance with the details approved in relation to this condition.

Specified matters:

- a) Full details of the siting, design, layout, external appearance and finishing materials of the proposed development including waste bin uplift area, driveway, vehicle parking and turning area;
- b) Full details of the proposed means of access, including dimension of the road and hammerhead;
- c) An Energy Statement shall include the following items:
 - i) Full details of the proposed energy efficiency measures and/or renewable technologies to be incorporated into the development;
 - ii) Calculations using the SAP or SBEM methods, which demonstrate that the reduction in carbon dioxide emissions rates for the development, arising from the measures proposed, will enable the development to comply with Policy R7 of the Aberdeen Local Development Plan 2017.
- d) A detailed levels survey of the site and cross sections showing proposed finished ground and floor levels relative to existing ground levels and a fixed ordnance datum point;
- e) Full details of the Drainage Impact Assessment to include the proposed means of disposal of surface water from the development.

Reason: Permission for the development has been granted in principle only and subsequent approval is required for these matters in accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

2. The proposed development shall be connected to the public water supply as indicated in the submitted application and shall not be connected to a private water supply without the separate express grant of planning permission by the planning authority.

Reason: To ensure the long-term sustainability of the development and the safety and welfare of the occupants and visitors to the site.

3. Waste water from the proposed development shall be disposed of via the public sewer as indicated in the submitted application and shall not be disposed of via private means without the separate express grant of planning permission by the planning authority.

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Reason: To ensure the long-term sustainability of the development and the safety and welfare of the occupants and visitors to the site.

4. The dwellinghouses hereby approved shall not be occupied unless the proposed surface water drainage system(s) has been provided in accordance with the approved Drainage Impact Assessment and plans approved under Condition 1 (g). The surface water drainage system(s) shall be permanently retained thereafter in accordance with the approved maintenance scheme.

Reason: In order to ensure that adequate drainage facilities are provided, and retained, in the interests of the amenity of the area.

5. No works in connection with the development hereby approved shall commence unless a tree protection plan has been submitted to and approved in writing by the planning authority. Tree protection measures shall be shown on a layout plan accompanied by descriptive text and shall include:
- a) The location of the trees to be retained and their root protection areas and canopy spreads (as defined in BS 5837: 2012 Trees in relation to design, demolition and construction);
 - b) The position and construction of protective fencing around the retained trees (to be in accordance with BS 5837: 2012 Trees in relation to design, demolition and construction).
 - c) The extent and type of ground protection, and any additional measures required to safeguard vulnerable trees and their root protection areas.
 - d) An arboricultural impact assessment which evaluates the direct and indirect impacts of the proposed development on the trees to be retained and proposed mitigation.
 - e) An arboricultural method statement to demonstrate that operations can be carried out with minimal risk of adverse impact on trees to be retained.
 - f) A method statement for any works proposed within the root protection areas of the trees shown to be retained.

No works in connection with the development hereby approved shall commence unless the tree protection measures have been implemented in full in accordance with the approved tree protection plan. No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities shall be permitted within the protected areas without the written consent of the planning authority and no fire shall be lit in the position where the flames could extend to within 5 metres of foliage, branches or trunks. The approved tree protection measures shall be retained in situ until the development has been completed.

Reason: In order to ensure adequate protection for the trees and hedges on the site during the construction of development, and in the interests of the visual amenity of the area.

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6. No works in connection with the permission hereby approved shall commence unless a landscaping scheme including a scheme of compensatory tree planting, has been submitted and approved in writing by the planning authority. Details of the compensatory planting shall include:
- a) The location of the compensatory tree planting.
 - b) A schedule of planting to comprise species, plant sizes and proposed numbers and density.
 - c) A programme for the implementation, completion and subsequent management of the proposed compensatory tree planting.

The compensatory tree planting shall be carried out in complete accordance with the approved scheme and any planting which, within a period of 5 years from the completion of the compensatory tree planting, 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.

Reason: In order to maintain woodland cover in accordance with the aims of local and national planning policies.

The Committee heard from Gavin Clark, Senior Planner, who spoke in furtherance of the application.

The Committee resolved:-

to approve the application conditionally as contained within the report.

RESIDENTIAL DEVELOPMENT COMPRISING 283 FLATS OVER 5 STOREYS, ASSOCIATED INFRASTRUCTURE, ACCESS ROADS AND LANDSCAPING - WELLHEADS ROAD, DYCE ABERDEEN

4. The Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for the residential development comprising 283 flats over five storeys, associated infrastructure, access roads and landscaping at Wellheads Road, Dyce, be approved with a legal agreement, subject to the following conditions:-

Conditions

1. SITE INVESTIGATION AND RISK ASSESSMENT

No development shall take place unless a scheme to deal with any contamination on or within the land forming the surface car park part of the site has been submitted to and

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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 include:

- (i) an investigation to determine the nature and extent of contamination;
- (ii) a site-specific risk assessment; and
- (iii) a remediation plan to address any significant risks and ensure the site is fit for the use proposed.

Thereafter no block shall be occupied, unless for that block:

- (i) 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
- (ii) a report specifically relating to the block has been submitted and approved in writing by the planning authority that verifies that remedial works to fully address contamination issues related to the block(s) have been carried out, unless the planning authority has given written consent for a variation. The final block shall not be occupied unless a report has been submitted and approved in writing by the planning authority that verifies the completion of the remedial works for the entire site, unless the planning authority has given written consent for a variation.

Reason - In order to ensure that the site is fit for human occupation in accordance with Policy R2 - Degraded and Contaminated Land.

2. PROGRAMME OF ARCHAEOLOGICAL WORKS

No development (including site stripping, service provision or establishment of site compounds) shall take place unless an archaeological written scheme of investigation (WSI) has been submitted to and approved in writing by the planning authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be occupied unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the planning authority. The PERD shall be carried out in complete accordance with the approved details.

Reason - To safeguard and record the archaeological potential of the area, specifically in relation to the former Aberdeenshire Canal which crosses the site, in accordance with Policy D4 - Historic Environment

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3. TREE PROTECTION

No development (including site stripping or service provision) shall take place unless the tree protection fencing shown on Astell Associates drawing WRD-1805TP (Rev.A) has been implemented. Thereafter the fencing shall remain in place for the duration of construction of the development.

Reason – To protect trees from damage during construction in accordance with Policy NE5 - Trees and Woodlands.

4. CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (CEMP)

No development (including site stripping, service provision or establishment of site compounds) within any phase or block shall take place unless a site-specific construction environmental management plan (CEMP) for that particular phase or block has been submitted to and approved in writing by the planning authority in consultation with SEPA. The CEMP must address (i) surface water management; (ii) site waste management; and (iii) pollution prevention. Thereafter development shall be undertaken in accordance with the approved CEMP.

Reason - In order to minimise the impacts of necessary demolition / construction works on the environment.

5. DUST MANAGEMENT PLAN

No development (including site stripping or service provision) within any particular phase or block shall take place unless a Dust Management Plan for the construction phase of development has been submitted to and approved in writing by the planning authority. Such management plan shall specify dust mitigation measures and controls, responsibilities and any proposed monitoring regime. Thereafter development (including demolition) shall be undertaken in accordance with the approved plan.

Reason - In order to control air pollution from dust associated with the construction of the development in accordance with Policy T4 - Air Quality.

6. BIRD HAZARD MANAGEMENT PLAN

No development associated with any particular phase or block shall take place unless a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority in consultation with Aberdeen International Airport. The submitted plan shall include details of the management of any flat/shallow pitched roofs (pitch less than 15°) on buildings within the site which may be attractive to nesting, roosting and “loafing” birds. The management plan shall comply with *Advice Note 8 ‘Potential Bird Hazards from Building Design’*.

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The Bird Hazard Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority in consultation with Aberdeen International Airport.

Reason - It is necessary to manage the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Aberdeen Airport.

7. NOISE MITIGATION SCHEME (FLATS)

No development associated with any particular block shall take place unless a scheme demonstrating that the design specification for (i) facades, windows and glazing for that block, and (ii) the living wall acoustic screens, are capable of achieving the necessary noise mitigation contained within the Noise Assessment (60566497_NIA_v5_011118) and dated 1 November 2018, produced by AECOM, has been submitted to and approved in writing by the Planning Authority. Thereafter that block shall not be occupied unless the block has been constructed in accordance with the agreed scheme.

Reason - In order to ensure that residents of the development are adequately protected from external noise.

8. ALTERNATIVE MEANS OF VENTILATION

No development associated with any particular block shall take place unless a scheme demonstrating that suitable ventilation for each of the units within that block has been submitted to and approved in writing by the planning authority. Thereafter no unit within that block shall be occupied unless the buildings have been constructed in accordance with the agreed scheme.

Reason - In order that satisfactory ventilation can be provided to flats without windows being opened, which could result in exposure to excessive noise levels.

9. WATER EFFICIENCY

No development associated with any particular block shall take place unless a scheme of water efficiency for that particular block has been submitted to and approved in writing by the planning authority. The statement should take into account the advice provided in CIRIA publication C723 (Water sensitive urban design in the UK) and specify the measures proposed to incorporate water saving technology into the development so as to achieve gold standard for water use efficiency in domestic

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buildings. Thereafter no block shall be occupied unless the approved measures have been implemented in the construction of the development.

Reason - In order to reduce pressure on water abstraction from the River Dee and the impact on water infrastructure.

10. LOW AND ZERO CARBON BUILDINGS

No development associated with any particular block shall take place 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. Thereafter no units shall be occupied unless any recommended measures specified within that scheme for that unit for the reduction of carbon emissions have been implemented in full.

Reason - to ensure that the 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'.

11. EXTERNAL FINISHING MATERIALS

No development associated with the external finishing materials of any particular block shall take place unless a scheme detailing all external finishing materials to the roof and walls of the proposed buildings has been submitted to and approved in writing by the planning authority. Thereafter the development shall be finished in accordance with the approved scheme unless a written variation has been approved by the planning authority.

Reason - In the interests of visual amenity.

12. LANDSCAPING

No development associated with the landscaping of the site shall take place unless a detailed scheme of hard and soft landscaping covering all areas of public and private open/green space has been submitted to and approved in writing by the planning authority. The scheme shall include details of –

- i) Existing and proposed finished ground levels;
- ii) Existing landscape features, trees and vegetation to be retained or removed;
- iii) Existing and proposed services and utilities including cables, pipelines and substations;
- iv) Proposed woodland, tree and shrub numbers, densities, locations, species, sizes and stage of maturity at planting;
- v) Location, design and materials of walls, fences, gates and street furniture;

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- vi) Arrangements for the management and maintenance of existing and proposed open space and landscaped areas; and
- vii) Proposed hard surface finishing materials.

All soft landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of each respective phase of the development or such other date as may be agreed in writing with the Planning Authority. Any planting which, within a period of 5 years from the completion of each phase 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.

Reason - In order to integrate the development into the surrounding landscape, increasing the biodiversity value of the site and creating a suitable environment for future residents and to safeguard the operations of Aberdeen International Airport.

13. EXTERNAL LIGHTING

No development associated with the external lighting scheme shall take place unless a scheme of external lighting for the footpaths and car parks has been submitted to and approved in writing by the planning authority. Thereafter no block shall be occupied unless the external lighting covering the car parking spaces, footpaths and communal areas associated with that block has been implemented in accordance with the approved details.

Reason - In order to create a suitable residential and visual amenity and ensure public safety.

14. CAR CLUB PARKING SPACES

That no development associated with the provision of the car parks shall take place unless a scheme showing the location of three 'car club only' parking spaces has been submitted to and approved in writing by the Planning Authority. Thereafter, unless otherwise agreed in writing with the planning authority, no unit shall be occupied unless (i) the car club only parking spaces have been constructed and are available for use and any associated signs or road markings have been implemented, in accordance with a phasing plan if necessary; and (ii) a traffic regulation order (TRO) is in place to restrict the use of the parking spaces to car club vehicles only.

Reason - In order to encourage modal shift away from the private car.

15. BOUNDARIES

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No development associated with boundaries of the proposed development shall take place unless a scheme (including phasing) of any site boundary enclosures across the entire development has been submitted to and approved in writing by the Planning Authority. Thereafter no unit shall be occupied unless the said scheme has been implemented, in accordance with the phasing plan.

Reason - In order to create a suitable residential and visual amenity.

16. PROVISION OF ACCESS ROAD AND CAR PARKING

No block shall be occupied unless a phasing plan for the provision of the junctions with Wellheads Avenue and Wellheads Road and car parking spaces (in accordance with Halliday Fraser Munro drawing 10611 P(00)003H) has been submitted to and approved in writing by the Planning Authority. Thereafter no block shall be occupied unless the infrastructure associated with that block and identified in the phasing plan has been constructed and is available for use. In the case of parking spaces located on Wellheads Avenue, prior to the occupation of any flat within the development the spaces shall be demarcated with signage as private spaces associated with the development.

Parking areas shall not thereafter be used for any purpose other than the parking of vehicles ancillary to the development.

Reason - In the interests of public safety and the free flow of traffic.

17. PLAY AREA

No block shall be occupied unless (i) details of the proposed play areas; and (ii) a phasing plan for their provision, have been submitted to and approved in writing by the Planning Authority. In designing the scheme reference should be made to Part 8 of the Council's Open Space Supplementary Guidance.

Reason - In order to ensure satisfactory provision of play facilities.

18. DRAINAGE

The development shall not be occupied unless all drainage works detailed in the approved Drainage Assessment (121951-SA – May 2018, Issue 4) produced 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.

Reason - In order to safeguard water qualities in adjacent watercourses and to ensure that the proposed development can be adequately drained.

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19. WASTE STORAGE PROVISION

No block shall be occupied unless the waste storage area for that particular block has been provided in accordance with Halliday Fraser Munro drawings 10611-P(00)003B and 10611-P(00)019A or such other drawing as may be approved in writing by the Planning Authority.

Reason - In order to ensure suitable waste storage facilities are available for residents and to protect public health.

20. CYCLE PARKING

No block shall be occupied unless (i) the residents cycle store within that block has been constructed and is available for use and (ii) a scheme of short-stay cycle parking for that block, showing the location and design of cycle stands for visitors, has been submitted to and approved in writing by the Planning Authority and such approved scheme has been implemented.

Reason - In order to encourage cycling.

21. RESIDENTIAL TRAVEL PACK

No block shall be occupied unless a residential travel pack, aimed at encouraging use of modes of transport other than the private car, has been submitted to and approved by the Planning Authority. Thereafter the pack shall be provided to each flat on occupation.

Reason - In order to encourage use of more sustainable modes of transport.

22. 20MPH SPEED LIMIT

No block shall be occupied unless a scheme showing a 20mph speed limit along Wellheads Avenue has been submitted to and approved in writing by the planning authority.

Thereafter, no unit shall be occupied unless (i) all signs and markings for the 20mph speed limit scheme have been implemented; and (ii) a traffic regulation order is in place to ensure the 20mph speed limit has effect.

Reason – In the interests of road safety.

23. ELECTRIC VEHICLE CHARGING POINTS

That no flats shall be occupied unless

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- (i) details of the type and location of electric vehicle charging points and bays;
- (ii) markings and signage to identify the bays, have been submitted to and approved in writing by the Planning Authority;
- (iii) a phasing plan for their provision, have been submitted to and approved in writing by the planning authority.
- (iii) the charging points and bays shall be provided in accordance with the agreed phasing plan.

Reason - In order to provide for and encourage the use of electric vehicles.

The Committee heard from Matthew Easton, Senior Planner, who spoke in furtherance of the application and answered various questions from members. Mr Easton advised that the application had been amended since the Pre-Determination Hearing held in October 2018, in order to deal with concerns raised; and highlighted the main changes to the application as follows:-

- number of blocks reduced from five to four;
- number of flats reduced from 302 to 283;
- increase in the number of one bedroom flats to better reflect the demand on the housing waiting list;
- number of parking spaces increased from 168 to 178;
- number of car club spaces reduced from four to three;
- all buildings were now five storey in height; and
- several minor consequential changes to the site layout and the layout and design of the buildings.

Mr Easton advised that Dyce and Stoneywood Community Council objected to the application and 323 individuals initially responded to the consultation, of those 283 objected and 36 were in support. After a second round of neighbour consultation following the amendments to the application, those who responded did so based on the size of the development, as well as the effect it would have on the local amenities and the roads.

The Committee then heard from Councillor MacGregor who addressed the Committee in the following terms as a local member to the area. Councillor MacGregor thanked the Committee for allowing him to speak in regard to the application and noted that social housing was greatly needed. He advised that residents were primarily concerned about the scale and massing of the development as well as congestion issues and questioned how many people would live in the 283 flats. Councillor MacGregor noted that following a review by NESTRANS, that in Aberdeen there was a higher than average car usage and highlighted how busy a road Stoneywood Road was, however there was no mention of a contribution to the upgrade of the road in the report. Councillor MacGregor raised concerns about the effects the development would have on the local health care and also the education provision and asked for a contribution to the cycle lane. In conclusion, Councillor MacGregor advised that the application was

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welcomed in the local area, however mitigations were needed for certain aspects and advised that he felt the application was slightly too large.

The Convener, seconded by the Vice Convener, moved:-
that the application be approved in line with the recommendation contained within the report.

Councillor Copland, seconded by Councillor Cooke, moved as an amendment:-
that the application be refused as it did not comply with policies B4, D1, D2, D3, D4 and T5. It was felt that this was overdevelopment of the site and the proposed buildings were too big in height. The amenity space was also not big enough which would result in no quality area for the residents to use. The noise impact from the helicopters was also a concern and the mitigations used to help with the noise were not satisfactory. Overall it was felt that the application should be refused due to overdevelopment of the site and also the quality of the building and open space for residents was not acceptable.

On a division, there voted:- for the motion (7) – the Convener, the Vice Convener and Councillors Allan, Cormie, Greig, Graham and Lumsden; for the amendment (2) – Councillors Copland and Cooke.

The Committee resolved:-

to adopt the motion and therefore approve the application conditionally as contained within the report.

INSTALLATION AND EXTENSION OF STEEL WALL FENCE, ACCESS GATE, FOOTPATH CONNECTION AND INSTALLATION OF TIMBER FENCE WITH ALL ASSOCIATED WORKS - BALMORAL STADIUM, ABERDEEN

5. The Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for the installation and extension of a steel wall fence, access gate, footpath connection and installation of a timber fence with all associated works, at Balmoral Stadium, Wellington Circle Aberdeen, be approved subject to the following conditions:-

Conditions

1. Public Access Strategy

That during all Cove Rangers FC competitive or friendly football matches played at the Balmoral Stadium, the footpath connection to Redmoss Road, as shown on drawing no. 11318-P(--)-022A shall be made available with continuous unobstructed access (i.e. the gate is kept open) for use by members of the public from at least 30 minutes prior to

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match kick-off times until at least 30 minutes following the end of matches, to be managed by Cove Rangers FC staff – in the interests of sustainable transportation, improved connectivity to and with local communities and enabling pedestrian accessibility from a wider catchment area, in accordance with the objectives of Scottish Planning Policy, policy T3 (Sustainable and Active Travel) of the Aberdeen Local Development Plan, the Aberdeen City Local Transport strategy 2016-2021 and the Aberdeen Active Travel Action Plan 2017.

2. Landscaping

Unless otherwise agreed in writing by the Planning Authority, the metal fencing hereby authorised (as shown in red on drawing no. 11318-P(--))002 A) shall not remain on site beyond a period expiring on 31/12/19 unless a further scheme of landscaping for the site has been submitted to and approved in writing for the purpose by the planning authority. This scheme shall include indications of all existing trees and landscaped areas on the land, together with the proposed areas of tree / shrub / hedge planting along the verge / boundary with Redmoss Road, including details of numbers, densities, locations, species, sizes and stage of maturity at planting. Such approved landscaping scheme shall be implemented in full by 31/12/2019 - In the interests of the visual amenity of the adjacent green belt area / green space network area and protection of the setting of Redmoss Road.

The Committee heard from Robert Forbes, Senior Planner, who spoke in furtherance of the application and answered various questions from members.

It was noted that Councillor Flynn had intended to speak to the Committee as a local member in regard to this application, however had been held up in another meeting. As a result, the Convener agreed to note Councillor Flynn's intention.

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

that the application be approved subject to condition two as contained within the report and with an amendment to condition 1 to read:-

“that the gate only be used in the event of an emergency from the stadium, by means of egress only. Reason: that allowing unrestricted access through the gate during matches would result in obstruction of Redmoss Rd by parked and turning vehicles to the detriment to the amenity of residents of Redmoss Road, road safety and access by emergency vehicles seeking to attend any fires on the Gramps.”

Councillor Lumsden, seconded by Councillor Cormie, moved as an amendment:-

That the application be approved with the conditions contained within the report.

On a division, there voted:- for the motion (6) – the Convener, the Vice Convener and Councillors Allan, Cooke, Copland and Graham; for the amendment (3) – Councillors Cormie, Greig and Lumsden.

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The Committee resolved:-

to adopt the motion and therefore approve the application conditionally with the amendment to condition 1 as stated above.

DEMOLITION OF EXISTING HOUSE AND ERECTION OF 22 FLATS (2 BEDROOM) & ASSOCIATED CAR PARKING AND ALTERATION TO EXISTING PEDESTRIAN RAILWAY UNDERPASS - 1 WESTERN ROAD, ABERDEEN

6. The Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for the demolition of the existing house and erection of 22 two bedroom flats and associated car parking and alteration to the existing pedestrian railway underpass at 1 Western Road, Aberdeen, be refused.

The Committee resolved:-

to agree to defer the application in order for a site visit to be undertaken on Thursday 28 February 2019. The Committee will then meet at the Town House for deliberation and determination of the application.

- **Councillor Marie Boulton – Convener**

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE
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PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

ABERDEEN, 28 February 2019. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS). Present:- Councillor Boulton, Convener; Councillor Jennifer Stewart, Vice Convener; and Councillors Cooke, Copland and Cormie and Lumsden (as substitute for Councillor Avril MacKenzie).

The agenda and reports associated with this minute can be found [here](#).

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.

DEMOLITION OF EXISTING HOUSE AND ERECTION OF 22 FLATS (2 BEDROOM) & ASSOCIATED CAR PARKING AND ALTERATION TO EXISTING PEDESTRIAN RAILWAY UNDERPASS - 1 WESTERN ROAD ABERDEEN - 081415

1. With reference to article 6 of the minute of the Planning Development Management Committee of 21 February 2019, where it was agreed to defer the item in order that a site visit be undertaken, the Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended**:-

That the application for the demolition of the existing house and the erection of 22 two bedroom flats and associated car parking and alteration to existing pedestrian railway underpass, be refused.

Following the site visit, the Committee met at the Town House and heard from Daniel Lewis, Development Management Manager, who spoke in furtherance of the application and answered various questions from members.

The Convener, seconded by the Vice Convener moved:-

that the application be approved conditionally, as the proposal would result in the removal of a derelict brownfield site that is detrimental to the amenity of the neighbourhood and the provision of much needed affordable housing. It is not considered to be detrimental to the amenity or privacy of neighbouring residents whilst providing adequate amenity for new residents. Subject to conditions, the proposal is considered on balance to be compliant with Policy H1 of the adopted Local Development and there are material considerations that outweigh the provisions of policies D1, D2 and NE3 of the adopted Local Development Plan.

Councillor Copland moved as an amendment, seconded by Councillor Lumsden:-

that the application be refused in line with the recommendation contained within the report.

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

28 February 2019

On a division, there voted:- for the motion (5) – the Convener, the Vice Convener and Councillors Cooke, Cormie and Lumsden; for the amendment (1) – Councillor Copland.

The Committee resolved:-

to adopt the motion and therefore approve the application subject to securing a legal agreement to deliver developer obligations and the following conditions:-

1. The flats hereby approved shall be occupied / managed for social renting purposes only (i.e. managed by a Registered Social Landlord or by Aberdeen City Council) and for no other affordable or other housing tenure or type.

Reason - In order to accord with ACC Car Parking standards. The proposed level of car provision and the location of the site are such that it would not be appropriate for the development to be occupied as mainstream housing.

2. No development pursuant to this planning permission shall take place nor shall the flats be occupied unless a noise impact assessment has been submitted to and approved in writing for the purpose by the Planning Authority. The assessment shall be prepared by a suitably qualified independent noise consultant, shall assess the noise levels likely within the building and shall recommend any measures necessary to ensure a satisfactory noise attenuation for the flats. The flats shall not be occupied unless the said measures have been implemented in full.

Reason - In the interest of protection of amenity of prospective residents.

3. 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 the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting. The scheme:
 - will be specifically designed to compensate for, and mitigate the impact of, the loss of green space space on the amenity of adjoining flats at Ferrier gardens
 - shall include proposals as to how the railway underpass will be accessed by way of a new footway/ramp or by maintenance of the existing access.
 All planting, seeding and turfing, hard and soft landscaping and footways comprised in the approved scheme of landscaping shall be carried out in or before 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.

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Reason - In the interests of the amenity of the area / protection of the amenity of adjacent residents.

4. 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 boundary enclosures for the development hereby granted planning permission, including clarification of the details of any proposed gate / fencing on the southern boundary of the site. None of the flats hereby granted planning permission shall be occupied unless the said scheme has been implemented in its entirety.

Reason - in order to preserve the amenity of the neighbourhood and in the interest of security / public access.

5. None of the flats hereby granted planning permission shall be occupied unless the cycle storage facilities as shown on drawing no. No. 715/SK02 (Revision A), or such other facilities as may be approved by the Planning authority, have been provided on site.

Reason - In the interests of encouraging more sustainable modes of travel.

6. No development shall take place unless it is carried out in full accordance with a scheme to deal with 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: 1. an investigation to determine the nature and extent of contamination, 2. a site-specific risk assessment, 3. a remediation plan to address any significant risks and ensure the site is fit for the use proposed.

No flats on the development site shall be occupied unless (1) 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 (2) a report specifically relating to the building 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 have been carried out, unless the planning authority has given written consent for a variation.

Reason - In order to ensure that the site is fit for human occupation

7. The development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing No. 715/SK02 (Revision A) of

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

28 February 2019

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.

Reason - In the interests of public safety and the free flow of traffic.

8. No development shall take place unless a scheme of all drainage works on site 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.

Reason - In order to safeguard water qualities in adjacent watercourses and to ensure that the development can be adequately drained.

9. 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.

Reason - In the interests of visual amenity.

10. The building hereby approved shall not be occupied unless a scheme detailing provision of Low and Zero Carbon Generating Technologies and Water Saving Technology required on site 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.

Reason- To ensure that this development complies with requirements for reductions in carbon emissions specified in ALDP policy R7 and the City Council's relevant published Supplementary Guidance document, 'Resources for New Development'.

- **Councillor Marie Boulton, Convener**

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

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	A	B	C	D	E	F	G	H	I
1	PLANNING DEVELOPMENT MANAGEMENT COMMITTEE BUSINESS PLANNER The Business Planner details the reports which have been instructed by the Committee as well as reports which the Functions expect to be submitting for the calendar year.								
2	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
3			21 March 2019						
4	Grandhome Estate	To approve or refuse the application.		Lucy Greene	Strategic Place Planning	Place	1	R	Determined under delegated powers.
5	The Woodies, Broomhill Road	To approve or refuse the application.		Alex Ferguson	Strategic Place Planning	Place	1	R	Determined under delegated powers.
6			18 April 2019						
7	May Baird Avenue	To approve or refuse the application.		Lucy Greene	Straegic Place Planning	Place	1		
8	Land at Ardene Vets Kingswells	To approve or refuse the application.		Matthew Easton	Strategic Place Planning	Place	1	D	Delayed to April at request of applicant to allow submission of further supporting information.
9	Shielhill Road Mundurno	To approve or refuse the application.		Robert Forbes	Strategic Place Planning	Place	1	D	Delayed at request of applicant to allow for submission of supporting information.
10	Annual Committee Effectiveness Report	To present the annual effectiveness report for the Committee.	May-19		Governance	Governance	GD 7.4		
11									
12			23 May 2019						
13	TPO 255 - 2018 - Malcolm Road	There was a previous committee instruction to bring back a report on TPO 248 and 249. These have been combined and will now be TPO 255.		Kevin Wright	Strategic Place Planning	Place	1	D	Delayed from November.
14			27 June 2019						
15									
16			15 August 2019						
17									
18			19 September 2019						
19									
20			31 October 2019						
21									
22			05 December 2019						
23									
24	AD HOC REPORTS (CYCLE DEPENDENT ON REQUIREMENT TO REPORT)								
25									
26									
27									

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 <p>ABERDEEN CITY COUNCIL</p>	<h2 style="margin: 0;">Planning Development Management Committee</h2>
	<p>Report by Development Management Manager</p>
	<p>Committee Date: 21 March 2019</p>

Site Address:	Land to South of Stoneyhill Terrace, Cove Bay, Aberdeen,
Application Description:	Installation of 12.3 metre high steelwork pole with 2 no. antennas and associated works
Application Ref:	190059/DPP
Application Type	Detailed Planning Permission
Application Date:	10 January 2019
Applicant:	Arqiva Ltd and Telefonica
Ward:	Kincorth/Nigg/Cove
Community Council:	Cove And Altens
Case Officer:	Sepideh Hajisoltani



RECOMMENDATION

Approve Conditionally

APPLICATION BACKGROUND

Site Description

The application site is situated adjacent to the eastern side of a shed unit at Jamieson's Fruit and Veg yard on the Southern Side of Stoneyhill Terrace and within Cove Bay Conservation Area.

Relevant Planning History

120485- Agricultural notification was submitted in April 2012- Prior Approval not required.

APPLICATION DESCRIPTION

Description of Proposal

Detailed planning permission is sought for installation of a 12m high, slim-line radio mast supporting 3 no. small scale antennas above, the largest of which has a centre line height of 12.775m and a small equipment cabinet at ground level.

Supporting Documents

All drawings and supporting documents listed below can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PL48V1BZ01700>

- Statement in Support
- ICNIRP Declaration
- Product Info: The Smart Metering Network

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because The Cove and Altens Community Council has formally objected to the proposal. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

ACC - Roads Development Management Team – No Objection.

ACC - Environmental Health – No comments received.

Cove and Altens Community Council – Object to the proposal on the basis that the proposed mast is in a Conservation Area and that the erection of the mast would set a precedent.

REPRESENTATIONS

None.

MATERIAL CONSIDERATIONS

Legislative Requirements

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where, in making any determination under the planning acts, regard is to be had to the provisions of the Development Plan and that determination shall be made in accordance with the plan, so far as material to the application unless material considerations indicate otherwise.

National Planning Policy and Guidance

- Scottish Planning Policy (SPP)
- Historic Environment Scotland Policy Statement (HESPS)
- Planning Advice Note PAN 62 (Radio Telecommunications)

Aberdeen Local Development Plan 2017

- Policy D1: Quality Placemaking by Design
- Policy D4: Historic Environment
- Policy H1: Residential Areas
- Policy CI2: Telecommunications Infrastructure
- Policy NE2: Green Belt

EVALUATION

Visual impact on the Development on the Conservation Area

Scottish Planning Policy (2014) (SPP) highlights the importance of digital infrastructure and states that the planning system should support:

- development which helps deliver the Scottish Government's commitment to world class digital connectivity;
- the need for networks to evolve and respond to technology improvements and new services;
- inclusion of digital infrastructure in new homes and business premises; and
- infrastructure provision which is sited and designed to keep environmental impacts to a minimum.

Accordingly, the planning system has an important role to play in strengthening digital communications capacity and coverage across Scotland. However, all components of equipment should be considered together and designed and positioned as sensitively as possible, with cumulative visual effects of equipment being taken into account as part of the decision-making process.

It is acknowledged that the proposed mast installation is part of a wider Government's 'Smart Metering Network' project that will provide smart electricity and gas meters to homes and small businesses across Great Britain. A key feature of Smart Meters is that they are continuously connected to data centres to provide and manage the constant flow of data and functionality. Smart Meters must therefore be linked to an electronic communications network. In this instance the proposed smart metering radio mast would provide coverage to the settlement of Cove Bay.

The proposed mast would be partially visible when on Seaview Terrace, and from the footpath to the west of the application site. The scale and form of the slim-line mast and antenna is similar in appearance to other forms of utility poles in the vicinity and it is considered that the primary visual impact of the proposed equipment is not significant enough to warrant refusal on visual amenity grounds.

Policy D1: Quality Placemaking by Design

SPP and PAN 62 seek to ensure that telecommunications equipment is designed and sited to minimise visual impact or intrusion, particularly in sensitive locations. PAN 62 elaborates on this position stating that developments should be concealed and disguised where possible, however, it recognises that technical requirements and constraints may limit opportunities for sensitive design and siting.

In this instance the application site is located within a location with a variety of street furniture including light and utility poles nearby. With this in mind, whilst the proposed mast would increase the extent of these features, it would not be isolated or incongruous when considered in the context of the existing visual impacts and appearance of other similar structures nearby. As such it is considered that the level of this impact would not have a significant detrimental impact on the characteristics of the surrounding area. It is considered that the proposal sufficiently complies with the provisions of Policy D1.

Policy D4: Historic Environment

The Council seek to protect preserve and enhance the historic environment in line with Scottish Planning Policy, Historic Environment Scotland Policy Statement and its own Supplementary Guidance and Conservation Area Character Appraisals and Management Plan. It is considered that the proposal would not have a significant detrimental impact on the character and visual amenity of Cove Bay conservation area, and sufficiently complies with policy D4.

Policy H1: Residential Areas

The area to the north of the application site is in residential use. The proposal fully accords with Policy H1 in that no new or extended use is proposed on site and that the mast would contribute to towards a technologically advanced city which is one of the objectives of the Aberdeen Masterplan. It is also noted that the siting of the equipment would allow for routine maintenance and other relevant operator work without resulting in detrimental impact on residential amenity of nearby dwellings in terms of noise, privacy and overlooking.

Policy CI2: Telecommunications Infrastructure

It is considered that the proposal is generally acceptable in terms of policy CI2 in that the siting and appearance of the proposed equipment, close to an existing commercial building and not prominently visible from any public vantage point, would not have a significant detrimental impact on visual amenity, character or appearance of the surrounding area. It is also considered that the proposal is in full compliance with the long-term vision of Aberdeen as a Smart City.

Policy NE2: Green Belt

Policy NE2 states that essential infrastructure will only be permitted if it cannot be accommodated anywhere other than the Green Belt. The agent has submitted supporting information demonstrating that a sequential approach to site selection has been adopted. Site sharing, utilisation of existing buildings and structures have been explored to best meet the operational need whilst minimising environmental impact. Five other sites had been investigated but were found to be either unsuitable and/or unavailable or comparably no better than the chosen site.

It is considered that the proposal sufficiently complies with provisions of policy NE2.

RECOMMENDATION

Approve Conditionally

REASON FOR RECOMMENDATION

The proposed equipment would sufficiently comply with the relevant policies of the Aberdeen Local Development Plan, namely Policies D1 (Quality Placemaking by Design), D4 (Historic Environment), H1 (Residential Areas), CI2 (Telecommunications Infrastructure) and NE2 (Green Belt) in that the proposal would not have a significant detrimental impact on the visual amenity and character of the surrounding area and is line with the principles set out in Scottish Planning Policy. On the basis of the above and following on from the evaluation under policy and associated guidance, it is considered that there are no material planning considerations that would warrant refusal of the application.

CONDITIONS

- 1- In the event that the hereby approved equipment become obsolete or redundant, it must be removed within 6 months of such event and shall not remain on site thereafter. Once removed, the site shall be made good in accordance with a scheme to be submitted and approved in writing by the Planning Authority, within 1 month of such removal.

Reason – to minimise the level of visual intrusion and ensure the reinstatement of the site to a satisfactory condition.

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