

## **PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

ABERDEEN, 1 June 2020. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Boulton, Convener; Councillor Stewart, Vice Convener; and Councillors Allan, Cooke, Copland, Cormie, Greig, Avril MacKenzie and Malik.

**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.**

### **DECLARATIONS OF INTEREST**

1. Councillor Cooke declared an interest in regard to item 7.3 on the agenda, Rubislaw Quarry, as he knew some of the objectors to the application. Councillor Cooke advised that he was also a member of the Board of Sport Aberdeen, and the owner of the quarry was a former member of the Board, however he did not know the owner personally. Councillor Cooke remained in the meeting during consideration and deliberation of the item as he did not consider his interest to be so significant that he had to withdraw from the meeting.

### **MINUTE OF MEETING OF THE PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 30 APRIL 2020**

2. The Committee had before it the minute of the previous meeting of 30 April 2020, for approval.

#### **The Committee resolved:-**

to approve the minute as a correct record.

### **COMMITTEE PLANNER**

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

#### **The Committee resolved:-**

to note the information contained in the Committee business planner.

**SITE AT SILVERBURN HOUSE, CLAYMORE DRIVE, ABERDEEN - 191904**

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4. The Committee had before it a report by the Chief Officer – Strategic Place Planning, which considered whether the application for Silverburn House, 191904/PPP, which triggered the statutory criteria to require that a Pre-Determination hearing be held, should be determined by the Planning Development Management Committee or by Full Council.

**The report recommended:-**

that the Committee –

- (a) notes the content of the report; and
- (b) agrees that the application be subject of a statutory Pre-Determination hearing by a special meeting of the Planning Development Management Committee (PDMC) and that the application then be determined at a subsequent scheduled PDMC meeting.

**The Committee resolved:**

to approve the recommendations contained in the report.

**FORMER TILLYDRONE INFANT SCHOOL SITE, CONINGHAM GARDENS  
ABERDEEN - 200206**

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

That the application for detailed planning permission for the erection of a primary school with early years facility, associated 3G pitch, soft and hard landscaping, alterations to access and all associated works, at the former Tillydrone Infant School site, Coningham Gardens Aberdeen, be approved conditionally with upfront payment of the contribution and inter-service agreement.

**Conditions**

**(1) Materials**

No works in connection with the development hereby approved shall commence unless details of the specification and colour of all the materials to be used in the external finish of the development have been submitted to and approved in writing by the planning authority. The development shall not be brought into use unless the external finish has been applied in accordance with the approved details, specification and colour.

Reason: In the interests of the appearance of the development and the visual amenities of the area.

**(2) Hours of Use**

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The All-Weather Sports Pitch hereby approved shall only be used (excluding maintenance) by the school or for pre-arranged lets to other persons during the period from 9am to 8pm on Mondays to Fridays and from 10am to 8pm on Saturdays and Sundays and shall not be used outwith these times by the school or by any other person for any purpose.

Reason: In order to ensure that the development would not result in undue loss of amenity for surrounding properties.

**(3) Noise**

The building hereby approved shall not be brought into use unless a further assessment and report on the specific building services plant has been undertaken. This assessment and report shall then be submitted to and approved in writing by the planning authority in consultation with Environmental Health. Once approved, all mitigation measures recommended in the report should be implemented prior to the building being brought into use and retained in perpetuity.

Reason: To ensure that noise from the use of the development does not result in undue loss of amenity for surrounding properties.

**(4) Odour**

The building hereby approved shall not be brought into use unless an odour impact assessment has been undertaken once the kitchen design has been established. This assessment shall then be submitted to and approved in writing by the planning authority in consultation with Environmental Health. Once approved, all mitigation measures recommended in the report shall be implemented prior to the building being brought into use and retained in perpetuity.

Reason: To ensure that odour from the use of the development does not result in undue loss of amenity for surrounding properties.

**(5) Lighting Strategy**

The development hereby approved shall not be brought into use unless full details of the proposed lighting for the development and an impact assessment of obtrusive light from the development have been submitted to and approved in writing by the planning authority. Prior to the assessment being undertaken in accordance with a scope that has been agreed with the planning authority in consultation with Environmental Health. All lighting shall be provided and thereafter retained in perpetuity in accordance both with the approved scheme and the Guidance Notes for the Reduction of Obtrusive Light issued by the Institution of Lighting Professionals (GN01:2011) and any such guidance notes that replace or supersede them.

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Reason: In order to minimise the amount of obtrusive lighting from the development in the interests of the residential and visual amenity of the surrounding area.

**(6) Traffic Restrictions**

The building hereby approved shall not be brought into use unless the existing traffic management signage within the surrounding road network have been implemented. The extent of the works shall be agreed with the Council's Traffic Management Team.

Reason: In the interests of road safety and providing a safe route to school.

**(7) Travel Plan**

The development hereby approved shall not be brought into use unless a Travel Plan for that building has been submitted to and approved in writing by the planning authority. The Travel Plan shall encourage more sustainable means of travel and shall include mode share targets. It shall identify measures to be implemented, the system of management monitoring review, reporting and duration of the incorporated measures designed to encourage modes other than the private car. The building shall not be brought into use unless the measures set out in its approved Travel Plan have been implemented in full.

Reason: In the interests of encouraging a more sustainable means of travel to and from the proposed development.

**(8) Foul and Surface Water Drainage Arrangements**

The building hereby approved shall not be brought into use unless the proposed foul and surface water drainage arrangements have been provided in accordance with the approved plans and the Drainage Assessment, prepared by Fairhurst, dated March 2019 (project reference 132043). The foul and surface water drainage arrangements shall be permanently retained thereafter in accordance with the approved maintenance scheme contained within the Drainage Strategy.

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

**(9) Bird Management**

Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the planning authority in consultation with Aberdeen Airport. The submitted plan shall include details of: Management of any flat/shallow pitched roofs (of less than 15 degrees) 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' and any such

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guidance notes that replace or supersede them. 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 they have been submitted to, and approved in writing by, the planning authority in consultation with Aberdeen 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.

**(10) Landscaping Scheme**

No works in connection with the development hereby approved shall commence unless a scheme of hard and soft landscaping works has been submitted to and approved in writing by the planning authority.

Details of the scheme shall include:

- a) Existing and proposed finished levels.
- b) The location of re-planted trees or compensatory planting.
- c) The location of new trees, shrubs, hedges and grassed areas.
- d) A schedule of planting to comprise species, plant sizes and proposed numbers and density.
- e) The location, design and materials of all hard landscaping works including walls, fences, gates, and play equipment.
- f) An indication of existing trees, shrubs and hedges to be removed.
- g) A programme for the implementation, completion and subsequent management of the proposed landscaping.

All soft and hard landscaping proposals shall be carried out in accordance with the approved planting scheme and management programme. 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. Once provided, all hard landscaping works shall thereafter be permanently retained.

Reason: To ensure the implementation and management 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.

**(11) Tree Protection**

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, plan reference TPS-2002-TP. 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.

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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.

**(12) Environmental Enhancements**

No works in connection with the development hereby approved shall commence unless a scheme of environmental enhancements has been submitted to and approved in writing by the planning authority in consultation with the Scottish Environmental Protection Agency. Once approved the scheme shall be implemented in full.

Reason: To ensure the offset of environmental impacts and contribute to and enhance the natural environment and support Policy D1 – Quality Placemaking by Design.

**(13) Site Investigation**

No development shall take place unless it is carried out in full accordance with a scheme to address any significant risks from contamination on the site which has been submitted to and 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
4. Verification protocols to demonstrate compliance with the remediation plan

Reason: In order to ensure any potential contamination of the site is dealt with appropriately in the interests of public and environmental safety.

**(14) Scheme of Remediation**

No building on the development site shall be brought into use 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 by the planning authority in writing, 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.

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The building on the application site shall not be brought into use unless a report has been submitted to and approved in writing by the planning authority that verifies that the remedial works have been carried out in full accordance with the remediation plan.

Reason: To ensure that the site and its buildings are suitable and fit for use by humans, and is free of contamination, or hazardous substances for human beings.

### **(15) Carbon Neutrality and Water Efficiency**

No building hereby approved shall be erected unless an Energy Statement and Water Efficiency applicable to that building has been submitted to and approved in writing by the planning authority. The Energy Statement shall include the following items:

- a) Full details of the proposed energy efficiency measures and/or renewable technologies to be incorporated into the development;
- b) 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. The Water Efficiency Statement shall include details of all proposed water saving technologies and techniques. The development shall not be brought into use unless it has been constructed in full accordance with the approved details in both statements. All measures shall be retained in place and fully operational thereafter.

Reason: to ensure this development complies with the on-site carbon reductions required in Scottish Planning Policy and Policy R7 of the Aberdeen Local Development Plan 2017.

The Committee heard from Aoife Murphy, Senior Planner, who spoke in furtherance of the application and answered questions from members.

#### **The Committee resolved:-**

to approve the application as contained in the report.

### **44/46 BEDFORD ROAD ABERDEEN - 200303**

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

That there be a willingness to approve the application for detailed planning permission for the erection of 6 residential flats with associated landscaping conditionally at 44/46 Bedford Road Aberdeen, subject to securing a legal agreement to deliver developer obligations towards the car club.

#### **Conditions**

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- (1) The development hereby approved shall not be occupied unless the communal external amenity area / shared garden ground as identified on the drawings hereby approved [refs. A(03)001 rev.E; A(03)004 rev.E], or such other drawings as may be approved in writing by the planning authority, has been implemented / planted in full and is thereafter retained as landscaped communal space.

Reason - In order to ensure provision of adequate amenity for residents and ensure compliance with the objective of local development plan policies D1: Quality Placemaking by Design, D2: Landscape, H1: Residential Areas and NE4: Open Space Provision in New Development.

- (2) No development shall take place pursuant to this planning permission unless construction details of the proposed street boundary wall along Bedford Place and a sample of the natural granite to be used on the external elevations of the building has been submitted to and approved in writing by the planning authority. The development hereby approved shall not be occupied unless such details as may be approved have been implemented in full.

Reason – In order to preserve the character and setting of the surrounding area and ensure compliance with the objective of local development plan policies D1: Quality Placemaking by Design, D5: Our Granite Heritage and H1: Residential Areas.

- (3) The development hereby approved shall not be occupied unless secure cycle parking / storage facilities have been provided on site for occupants in accordance with the drawing hereby approved [A(03)004 rev.E], or such other drawing as may be approved in writing by the planning authority.

Reason – In order to ensure compliance with planning policy T2: Managing the Transport Impact of Development and reduce demand for car parking.

- (4) The development hereby approved shall not be occupied unless the bin storage area has been provided on site for occupants in accordance with the drawing hereby approved [A(03)004 rev.E], or such other drawing as may be approved in writing by the planning authority.

Reason – In order to ensure compliance with planning policy R6: Waste Management Requirements for new development.

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

**The Committee resolved:-**

to approve the application as contained in the report.



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### RUBISLAW QUARRY - 200042

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

That the application for detailed planning permission for the residential development of 245 private rented sector flats (up to nine storeys and two basement levels) with amenity space, 254 car parking spaces, two publicly accessible car club vehicles (including electric charging points), residents' gym, residents' function room, public bistro and public promenade with viewpoints to quarry, at Rubislaw Quarry, be approved conditionally and withhold consent until a legal agreement is secured to deliver developer obligations towards affordable housing, secondary education, core paths, open space and healthcare.

#### **Conditions**

##### (1) SURFACE WATER DRAINAGE

No development shall take place unless a detailed scheme for surface water drainage and connection to the sewer, in accordance with the Drainage & Flooding Assessment (Issue 07 – January 2020) has been submitted to and approved in writing by the planning authority in consultation with SEPA and Scottish Water. Thereafter development shall be implemented in accordance with the agreed scheme.

Reason – to prevent any flooding and ensure adequate protection of the water environment from surface water run-off.

##### (2) QUARRY WATER LEVEL MANAGEMENT PLAN

No development shall take place unless a scheme for the management of the water level within the quarry has been submitted to and approved in writing by the planning authority in consultation with SEPA and Scottish Water. Thereafter the management plan shall be implemented in accordance with the agreed details.

Reason – to ensure that the proposed development is not at risk of flooding from rising water levels in the quarry.

##### (3) FOUL WATER DRAINAGE

No development shall take place unless confirmation has been received that Scottish Water will accept a connection to their sewer network from the development. Thereafter development shall be implemented in accordance with the agreed foul drainage scheme.

Reason – to ensure adequate protection of the water environment from foul water generated by

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the development.

### (4) AIR QUALITY ASSESSMENT

No development shall take place unless an air quality assessment which considers the impact on existing residents as well as the potential exposure levels of occupants of the new properties on Hill of Rubislaw has been undertaken. Measures to reduce any potential air quality impacts should be considered. The approved mitigation measures shall thereafter be implemented in accordance with a timetable agreed with the planning authority.

Reason - to mitigate the impact of road traffic associated with the development on local air quality.

### (5) NOISE MITIGATION SCHEME FOR NEW RESIDENTIAL PROPERTIES

No development shall take place unless a scheme of measures for the protection of the proposed residential properties has been submitted to and approved in writing by the planning authority. This assessment should:

- a) Be in accordance with Planning Advice Note (PAN) 1/2011 Planning and Noise and its accompanying Technical Advice Note.
- b) Identify the existing sources of noise potentially impacting on the proposed development.
- c) Identify the likely sources of noise associated with the proposed development.
- d) Detail the noise mitigation measures to reduce noise from the existing noise sources to an acceptable level to reasonably protect the amenity of the occupants of the proposed neighbouring residences.
- e) Be in line with a methodology to be submitted to and agreed in writing with the Council's Environmental Health Service in advance of the assessment

Thereafter no flat shall be occupied unless the mitigation measures relevant to that property have been implemented in accordance with the agreed scheme.

Reason – to ensure that residents of the development are adequately protected from excessive noise levels.

### (6) DETAILED LANDSCAPING SCHEME

No development shall take place unless a detailed scheme of hard and soft landscaping works has been submitted to and approved in writing by the planning authority. The scheme shall be in accordance with the principles outlined in the Landscape Design Framework produced by Optimised Environments (ref: 171159\_OPEN\_HillRubi\_LDF-01 – January 2020) and include –

- (i) Existing landscape features and vegetation to be retained.
- (ii) The location of new trees, shrubs, hedges and grassed areas and water features

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- (iii) A schedule of planting to comprise species, plant sizes and proposed numbers and density;
- (iv) The location, design and materials of all hard landscaping works including surfacing, walls, fences, gates and street furniture (including the public walkway) and
- (v) a programme for the long-term management and maintenance of the hard and soft landscaping.

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 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 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 – 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.

### (7) PROVISION OF PARKING

No development shall take place unless a scheme for the phased provision of the vehicle, motorcycle and bicycle parking has been submitted to and approved in writing by the planning authority. The phasing scheme shall –

- (i) ensure that a level of vehicle, motorcycle and bicycle parking appropriate to the number of units is available on occupation of each part of the building.
- (ii) demonstrate when and where the bistro spaces, electric vehicle charging points and car club spaces would be provided.

Thereafter no unit within the building shall be occupied unless the parking associated with that unit and identified as such in the phasing scheme has been constructed, drained, laid-out and demarcated in accordance with drawings IBI-XX-ZZ-PL-A-221-0099 (Rev.3) and IBI-XX-ZZ-PL-A-100-0103 (Rev.3) or such other drawing approved in writing by the planning authority. Parking areas shall not thereafter be used for any other purpose other than the purpose of the parking of vehicles ancillary to the development and use thereby granted approval. Parking spaces shall be communal and unallocated to any particular flat within the development.

Reason – to ensure public safety and the free flow of traffic.

### (8) CAR CLUB PARKING SPACES

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No part of the building shall be brought into use unless (i) the car club only parking spaces have been constructed and/or marked out and are available for use and any associated signs or road markings have been implemented, and (ii) a traffic regulation order (TRO) is in place to restrict the use of the parking spaces to car club vehicles only.

Reason – To encourage modal shift away from the private car.

**(9) PROVISION OF PUBLIC AREAS AND WALKWAY**

No development shall take place unless a scheme for the phased provision of the publicly accessible external parts of the development (including the quarry edge walkway and area noted as ‘aspirational paving outside ownership boundary line’ on the pavement adjacent to the site) has been submitted to and approved in writing by the planning authority. Thereafter each section of such areas shall be made available to the public on completion of the corresponding part of the building. Such areas will thereafter remain in use as publicly accessible space for the life of the development.

Reason – to ensure the delivery of elements of the development proposed to enhance the accessibility of the quarry open space.

**(10) PROVISION OF FOOD & DRINK USE AND GYM**

No development shall take place unless a scheme for the provision of the (i) food and drink unit; and (ii) gym parts of the development has been submitted to and approved in writing by the planning authority. Thereafter each element shall be provided in accordance with the approved scheme.

Reason – to ensure the delivery of the amenities proposed for the development.

**(11) EXTERNAL FINISHING MATERIALS**

No development shall take place unless a scheme detailing all external finishing materials of the proposed building 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 – to confirm the specific materials proposed and ensure a high-quality finish to the building.

**(12) EXTERNAL LIGHTING**

No development shall take place unless a scheme of the external lighting for the building and its external areas has been submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the approved scheme.

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Reason – to ensure public safety.

**(13) TREE PROTECTION SCHEME**

No development shall take place unless a scheme for the protection of all trees to be retained on and outwith the site (including those trees within the route of the pedestrian path to Queen's Road) during construction works has been submitted to and approved in writing by the planning authority. The tree protection scheme shall thereafter be implemented for the duration of the construction of the development unless otherwise agreed in writing with the planning authority.

Reason – to ensure adequate protection for the trees on site during the construction of the development.

**(14) BADGER PROTECTION PLAN**

No development shall take place unless the species protection measures contained within the Environmental Survey (RQA-1803-EIS (rev.1) – 10 January 2018) have been fully implemented.

Reason – to ensure that badgers are protected from development.

**(15) CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN**

No development (including site stripping, service provision or establishment of site compounds) shall take place unless a site-specific construction environmental management plan (CEMP) has been submitted to and approved in writing by the planning authority in consultation with SEPA.

The CEMP must include construction-phase and final SuDS supported by drawing(s) showing the location of the construction phase SuDS features; storage locations; pollution prevention and mitigation measures in place during construction e.g. spillage / chemical management and monitoring; emergency contacts to SEPA for pollution incidents and Invasive non-native species (INNS) management. The construction phase SUDS should be in compliance with the requirements of SEPA General Binding Rules 10 and 11 for the management of water run-off from a construction site to the water environment. Thereafter development shall be undertaken in accordance with the approved CEMP.

Reason – to minimise the impacts of necessary demolition / construction works on the environment.

**(16) WASTE STORAGE**

No development shall take place unless a scheme for the phased provision of the waste storage areas has been submitted to and approved in writing by the planning authority. Thereafter no unit within the building shall be occupied unless the waste

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storage area associated with that unit and identified as such in the phasing scheme has been constructed and is available for use in accordance with IBI-XX-ZZ-PL-A-221-0099 (Rev.3) and IBI-XX-ZZ-PL-A-100-0103 (Rev.3) or such other drawing approved in writing by the planning authority. Waste storage areas shall not thereafter be used for any other purpose other than the purpose of the storing waste generated by the development.

Reason – to ensure adequate waste storage provision and for the protection of public health.

**(17) LOW AND ZERO CARBON BUILDINGS**

The building hereby approved shall not be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full.

Reason – to ensure 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'.

**(18) WATER EFFICIENCY MEASURES**

No flat or commercial element of the building shall be occupied unless the water efficiency measures identified in section 4.0 of the Sustainability Statement (Issue 03) produced by KJ Tait Engineers have been installed and are available for use.

Reason – to help avoid reductions in river water levels, which at times of low flow can have impacts on freshwater pearl mussel, one of the qualifying features of the River Dee Special Area of Conservation (SAC).

**(19) BUS STOP UPGRADE**

No residential flat or the food and drink use shall be occupied unless the bus stop located on the south side of Queen's Road (approximately 40m east of Angusfield Avenue) has been upgraded in accordance with a scheme submitted to and approved in writing by the planning authority.

Reason – to encourage the use of public transport and reduce dependency on the private car for travel.

**(20) RESIDENTIAL TRAVEL PLAN**

No flat shall be occupied unless a residential travel pack has been submitted to and approved in writing by the planning authority. The residential travel pack shall identify details of different travel options available in the area to discourage the use of the

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private car. The approved travel pack shall be supplied to each household on occupation of a flat.

Reason – to reduce dependency on the private car for travel.

### (21) COOKING ODOUR CONTROL

The food and drink use shall not become operational unless a scheme of Local Extract Ventilation (LEV) for that use has been submitted to and approved in writing by the planning authority. The scheme must fully demonstrate the extent of the necessary ventilation equipment and the effectiveness of the associated cooking odour and fume control measures.

Reason – to ensure that residential properties are not adversely affected by cooking odours.

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

#### **The Committee resolved:-**

to refuse the application unanimously as it was felt that it did not represent sustainable development in terms of Scottish Planning Policy for the following reasons:

The proposal was considered contrary to the following Policies of the Aberdeen Local Development Plan 2017:-

- Policies D1, D3 and H1 in as far as it constitutes overdevelopment, was not designed for context and was of an incongruous design that does not have a vertical emphasis. Furthermore, it would have an adverse effect on the visual amenity by virtue of its dominant scale and overshadowing/overlooking of the area including adjoining houses and offices.
- It did not comply with Policy T2 as it fails to provide adequate parking provision and therefore was not in accordance with the adopted Supplementary Guidance on Transportation.
- It did not comply with Policy NE1 in as far as it would result in the loss of green space.
- Finally, it did not comply with Policy I1 in terms of Education provision in that it would result in unacceptable strain on the capacity of local schools.

- **Councillor Marie Boulton, Convener**

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