

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 1 December 2022. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Henrickson, Convener; and Councillors Allard (as substitute for Councillor Clark), Alphonse, Blake, Cooke, Copland, Crockett, Houghton (for item 4 only) , Massey (as substitute for Councillor Boulton), McRae, Thomson and van Sweeden (as substitute for Councillor Bouse).

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 3 NOVEMBER 2022

1. The Committee had before it the minute of the previous meeting of 3 November 2022, for approval.

#### The Committee resolved:-

to approve the minute as a correct record.

### COMMITTEE PLANNER

2. The Committee had before it the committee business planner, as prepared by the Interim Chief Officer – Governance.

#### The Committee resolved:-

- (i) to agree to remove item 38 (Causewayend Pre Application Forum); and
- (ii) to otherwise note the planner.

### CARANOC WHITHOM, CAIRNLEE ROAD, ABERDEEN - 220211

3. 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 demolition of existing residential building and erection of replacement building to create 20 co-house apartments with associated bin and bike store and other associated works at Caranoc Whithom, Cairnlee Road Aberdeen, be approved with a legal agreement and subject to the following conditions:-

#### Conditions

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**(01) DURATION OF PERMISSION**

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason: in accordance with section 58 (duration of planning permission) of the 1997 act.

**(02) CAR PARKING**

That no units hereby approved shall be brought into use unless the approved areas of car parking, including the proposed EV parking and charging facilities have been constructed, drained, laid-out and demarcated in accordance with drawing No. 168 (L)90003 of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of cars ancillary to the development and use thereby granted approval.

Reason: in the interests of public safety and the free flow of traffic, and to ensure compliance with Policy T2 (Managing the Transport Impact of Development) of the Aberdeen Local Development Plan and the associated 'Transport and Accessibility' Supplementary Guidance.

**(03) CARBON REDUCTION AND WATER EFFICIENCY**

That the units hereby approved shall not be occupied unless an Energy Statement and Water Efficiency Statement applicable to them has been submitted to and approved in writing by the planning authority, and thereafter any measures agreed within that submission have been implemented in full.

The Energy Statement shall include the following items:

- Full details of the proposed energy efficiency measures and/or renewable technologies to be incorporated into the development; and
- 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, along with evidence that the required BREEAM standard has been achieved.

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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.

**(04) LANDSCAPING SCHEME**

That no works in connection with the development hereby approved shall take place 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:

- I. Existing landscape features and vegetation to be retained.
- II. The location of new trees, shrubs, hedges, grassed areas and water features
- 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 [walls, fences, gates, street furniture and play equipment].
- V. An indication of existing trees, shrubs and hedges to be removed.
- VI. A programme for the completion and subsequent maintenance of the proposed landscaping.

All soft and hard 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. In addition, prior to the commencement of the implementation of the approved scheme, detailed proposals for a programme for the long-term management and maintenance of all the approved

landscaped and open space areas within the development shall be submitted for the further written approval of the Planning Authority. Thereafter, all management and maintenance of the landscaped and open space areas shall be implemented, in perpetuity, in accordance with the approved programme."

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

**(05) TREE PROTECTION MEASURES**

That no development shall take place unless a plan showing those trees to be removed and those to be retained and a scheme for the protection of all trees to be retained on the site and immediately outwith the site during construction works has been submitted to, and approved in writing by, the Planning Authority and any such scheme as may have been approved has been implemented in its entirety.

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

**(06) STORAGE OF MATERIALS**

That no materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in the aforementioned scheme of tree protection without the written consent of the Planning Authority and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks.

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

**(07) CYCLE PARKING FACILITIES**

That the development hereby granted planning permission shall not be brought into use unless the cycle storage facilities as shown on drawing no. 168 (L)90003 have been fully installed and made available for use.

Reason: in the interests of encouraging sustainable travel, as required by Policy T3 (Sustainable and Active Travel).

**(08) RESIDENTIAL TRAVEL PACK**

That no residential unit hereby approved 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 property on occupation.

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

**(09) CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN**

That development (including site stripping, service provision or establishment of site compounds) shall commence on site until a site-specific Construction Environmental Management Plan(s) has been submitted to and approved in writing by the Planning Authority. The CEMP must address the following issues (i) site waste management including details of re-use on-site and off-site disposal of demolition materials and (ii) how construction vehicles are to enter and exit the site along with how any damage to the surrounding road network would be repaired should damage occur. 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.

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**(10) DUST MANAGEMENT PLAN**

That no development (including site stripping or service provision) shall take place unless a Dust Management Plan (based on the outcomes of the Air Quality Dust Risk Assessment) for the construction phase of development has been submitted to and approved in writing by the planning authority in consultation with colleagues in Environmental Health. This site-specific Dust Management Plan must include in detail the necessary control measures to be implemented for each phase of the proposed works (demolition, earthworks, construction), an example of the monitoring protocol and schedule to be implemented on-site, and the responsible person for dust control on-site. 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.

**(11) AIR QUALITY ASSESSMENT**

That no development (including site stripping or service provision) shall take place unless an Air Quality (Dust) Risk Assessment is carried out by a suitably qualified consultant in accordance with the Institute of Air Quality Management document "Guidance on the Assessment of Dust from Demolition and Construction" 2014 and thereafter submitted to and approved in writing by the Planning Authority in consultation with colleagues in Environmental Health. Thereafter development (including demolition) shall be undertaken in accordance with the approved document.

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

**(12) FINISHING MATERIALS**

That no development, beyond foundation level, shall take place on the hereby approved building unless a scheme detailing all external finishing materials to the roof and walls of such 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.

Reason - In the interests of visual amenity.

**(13) BAT SURVEY COMPLIANCE**

That the development hereby approved shall not be implemented unless the proposed mitigation measures as specified in the submitted Bat Survey (Ref: 220211-01 dated 6<sup>th</sup> June 2022) are implemented in their entirety, unless otherwise agreed in writing by the Planning Authority.

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Reason: In the interests of protecting and enhancing the biodiversity of the environment.

**(14) HEATING AND VENTILLATION SYTEMS**

That no development (including site stripping or service provision) shall take place unless finalised details of the proposed heating and ventilation systems for the proposed development are submitted to and approved in writing by the Planning Authority in consultation with colleagues in Environmental Health. For avoidance of doubt this information could include manufacturers specifications or the requirement for a full Noise Impact Assessment, dependant on the system proposed.

Reason: In the interests of residential amenity.

The Committee heard from Mr Gavin Clark, Senior Planner, who spoke in furtherance of the application and answered various questions from Members.

The Committee then heard from Mr Steve McHattie and Mr Iain Riddoch who were interested parties to the application, having submitted timely representations in regard to the proposed application and in line with the procedure note for the Committee and both objected to the proposal.

**The Committee resolved:-**

to approve the application conditionally with a legal agreement with conditions 2 and 4 updated and an informative note added, to read:-

**(02) CAR PARKING**

That no units hereby approved shall be brought into use unless the approved areas of car parking, including the proposed EV parking and charging facilities have been constructed, drained, laid-out and demarcated in accordance with drawing No. 168 (L)90003 of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. In addition, details shall be submitted to and approved in writing by the Planning Authority to demonstrate that all of the proposed parking spaces could be provided with passive provision for electric vehicles. 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, and to ensure compliance with Policy T2 (Managing the Transport Impact of Development) of the Aberdeen Local Development Plan and the associated 'Transport and Accessibility' Supplementary Guidance.

**(04) LANDSCAPING SCHEME**

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That no works in connection with the development hereby approved shall take place 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:

- i. Existing landscape features and vegetation to be retained.
- ii. The location of new trees, shrubs, hedges, grassed areas and water features
- iii. A schedule of planting to comprise species, plant sizes and proposed numbers and density.
- iv. Details of screening to be provided on the southern/ eastern boundary of the application site, to lessen the visual impact from Baillieswells Road.
- v. The location, design and materials of all hard landscaping works including [walls, fences, gates, street furniture and play equipment].
- vi. An indication of existing trees, shrubs and hedges to be removed.
- vii. A programme for the completion and subsequent maintenance of the proposed landscaping.

All soft and hard 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.

In addition, prior to the commencement of the implementation of the approved scheme, detailed proposals for a programme for the long-term management and maintenance of all the approved landscaped and open space areas within the development shall be submitted for the further written approval of the Planning Authority. Thereafter, all management and maintenance of the landscaped and open space areas shall be implemented, in perpetuity, in accordance with the approved programme."

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

**INFORMATIVE**

For the avoidance of doubt, there will be no possibility of Cairnlee Road being closed via either the relevant Planning or Roads Acts during the construction of the proposed development.

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4. With reference to article 6 of the minute of the meeting of 3 November 2022, 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 change of use from class 2 (occupational health clinic) to class 11 (children's role play café) including installation of access ramp at 14 Victoria Street, City Centre Aberdeen, be approved subject to the following conditions:-

### Conditions

#### (01) DURATION OF PERMISSION

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3 year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.

#### (02) USE CLASS RESTRICTION

That notwithstanding the provisions of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended), the premises shall only be used for that applied for in this application as a children's role play café. For the avoidance of doubt, express grant of planning permission from the Planning Authority shall be required for any other uses falling within Use Class 11 of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended).

Reason: To ensure that a good level of amenity can be maintained, and that any additional impacts arising from other uses falling within Use Class 11 of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended) can be suitably assessed.

#### (03) NOISE MITIGATION MEASURES

That the use hereby approved is not implemented until the critical noise mitigation measures as set out in section 7 of the Noise Impact Assessment by SK/AD Acoustics (Report No: SKAD-22-03091) are applied. These must include:

1. The plaster with laths of party walls within the proposed development between adjoining properties number 12 Victoria Street to the south and numbers 1 and 5 Waverley Place to the north should be removed entirely and replaced with a self-standing timber stud construction, fully independent and free from any connections with granite as described in table 12 (noise source side); and
2. The installation of the works should adhere to the specific requirements detailed within sections 7.1.1.6 to 7.1.1.10 and appendix C.

Reason – In the interest of residential amenity and to minimise any potential noise pollution arising from the hereby approved use.



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**(04) LANDSCAPING SCHEME**

That the use hereby approved is not implemented until a detailed landscaping scheme for the area to the front of the building has been submitted in writing and approved by the Planning Authority. This shall include the finishing materials of the ramp and planting details. The agreed landscaping scheme shall subsequently be implemented in the first growing season following the implementation of the use hereby approved.

Reason – In the interests of the visual amenity of the conservation area.

The Committee heard from Dineke Brasier, Senior Planner, who spoke in furtherance of the application and answered various questions from Members.

The Committee then heard from Mr Robert Fyfe who was an interested party to the application, having submitted a timely representation in regard to the proposed application and in line with the procedure note for the Committee. Mr Fyfe objected to the proposal. The Committee also heard from the agent for the application, Mr Daniel Harrington, who spoke in support of the application.

**The Committee resolved:-**

to approve the application conditionally with condition 4 updated to read:-

**(04) LANDSCAPING SCHEME**

that the use hereby approved is not implemented until a detailed landscaping scheme for the area to the front of the building has been submitted in writing and approved by the Planning Authority. This shall include the finishing materials of the ramp and planting details, and cycle parking facilities. The agreed landscaping scheme shall subsequently be implemented in the first growing season following the implementation of the use hereby approved.

Reason – In the interests of the visual amenity of the conservation area

- **Councillor Dell Henrickson, Convener**