

Public Document Pack



To: Councillor Henrickson, Convener; Councillor Bouse, Vice-Convener; and Councillors Alphonse, Blake, Boulton, Clark, Cooke, Copland, Crockett, Farquhar, McRae, Mrs Stewart and Thomson.

Town House,
ABERDEEN 01 March 2023

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

The Members of the **PLANNING DEVELOPMENT MANAGEMENT COMMITTEE** are requested to meet in **Council Chamber - Town House** on **THURSDAY, 9 MARCH 2023 at 10.00 am**. This is a hybrid meeting and Members may also attend remotely.

The meeting will be webcast and a live stream can be viewed on the Council's website. <https://aberdeen.public-i.tv/core/portal/home>

JENNI LAWSON
INTERIM 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 AND TRANSPARENCY STATEMENTS

- 3.1. Members are requested to intimate any declarations of interest or connections

MINUTES OF PREVIOUS MEETINGS

- 4.1. Minute of Meeting of the Planning Development Management Committee of 9 February 2023 - for approval (Pages 7 - 16)

COMMITTEE PLANNER

- 5.1. Committee Planner (Pages 17 - 20)

GENERAL BUSINESS

WHERE THE RECOMMENDATION IS ONE OF APPROVAL

- 6.1. Detailed Planning Permission for the erection of extensions to side and rear and formation of door opening to form 2 semi-detached dwelling houses - 81 Brighton Place Aberdeen (Pages 21 - 36)

Planning Reference – 221086

All documents associated with this application can be found at the following link and enter the reference number above:-

[Link.](#)

Planning Officer: Dineke Brasier

- 6.2. Detailed Planning Permission for the extension of an existing car park with associated external lights and landscaping works - Land at International Gate, Dyce, Aberdeen (Pages 37 - 54)

Planning Reference – 221436

All documents associated with this application can be found at the following link and enter the reference number above:-

[Link.](#)

Planning Officer: Matthew Easton

REPORTS

7.1. Local Review Body Procedure Review PLA/23/079 (Pages 55 - 62)

DATE OF NEXT MEETING

8.1. Date of Next Meeting - Thursday 20 April 2023

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

Website Address: aberdeencity.gov.uk

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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Agenda Item 1.1

Members will recall from the planning training sessions held, that there is a 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 and any conditions to be attached 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 29.11 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. The Convener will usually call a short recess for discussion between officers and Members putting forward an alternative to the recommendation.

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PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 9 February 2023. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Henrickson, Convener; Councillor Bouse, Vice Convener; and Councillors Alphonse, Blake, Boulton, Clark, Cooke, Copland, Farquhar, McRae, Councillor Mrs Stewart and Thomson.

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 OR CONNECTIONS

1. The following statements of transparency were noted:-
 - In relation to item 6.2 on the agenda (variation to condition 10, A944 Jessiefield Junction), Councillor Blake advised that she had a connection due to coordinating advertisements for Cults, Bieldside and Milltimber Community Council, but did not consider that the nature of her connection amounted to an interest that would require her to withdraw from the meeting;
 - In relation to item 7.1 on the agenda (Dutch Mill hotel), Councillor Boulton advised that she was a member of the Licensing Board however did not consider that the nature of her connection amounted to an interest would require her to withdraw from the meeting.

Councillor Copland advised that in relation to item 7.1 on the agenda, Dutch Mill Hotel, that he had previously indicated a view on the application and therefore would leave the meeting when the application was being considered and would take no part in the deliberation or determination of the application.

MINUTE OF MEETING OF THE PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 12 JANUARY 2023

2. The Committee had before it the minute of the previous meeting of 12 January 2023, for approval.

The Committee resolved:-

to approve the minute as a correct record.

COMMITTEE PLANNER

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

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The Committee resolved:-

- (i) to note that the Pre Application Forum application scheduled for 9 March Committee (92-126 John Street) would now be heard at the meeting on 20 April 2023; and
- (ii) to otherwise note the information contained in the planner.

64 DEVONSHIRE ROAD ABERDEEN - 221130

4. 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 installation of replacement front windows; formation of garden walls; and installation of hard surface and artificial grass (partially retrospective) at 64 Devonshire Road 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) 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 schedule of planting to comprise species, plant sizes and proposed numbers and density;
- The location, design and materials of all hard landscaping works including paving/slabs/chuckies.

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.

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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.

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

The Committee also heard from the applicant for the application, Mr David Harris, who spoke in support of the application.

The Committee resolved:-

to approve the application conditionally in line with the officer recommendation.

A944 JESSIEFIELD JUNCTION AND LAND SOUTH OF A944, AT BELLFIELD FARM, EAST MIDDLEFIELD - 220536

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

That the application for a variation to condition 10 (requiring Condition 1 to be implemented in full prior to the occupation of the 1001st house constructed) of planning application ref. P141888 at A944 Jessiefield Junction and Land South of A944, at Bellfield Farm, East Middlefield, be approved subject to the following conditions:-

Conditions

1. That the agreed works pursuant to condition 3 shall be carried out in their entirety, and to the satisfaction of the Planning Authority, prior to occupation of the 1251st house constructed on the Countesswells development site as identified in the OP38 designation within the 2017 Aberdeen Local Development Plan.

Reason: In the interests of road capacity and safety.

2. That the development hereby approved shall be implemented in accordance with details approved as part of MSC permission 170510/MSD in relation to:

- (a) Detailed levels survey of the site and cross sections showing proposed finished road levels relative to existing ground levels and a fixed datum point;
- (b) Detailed drainage plan, including full details of the proposed means of disposal of surface water from the development, including how surface water run-off shall be addressed during construction, as well as incorporating the principles of pollution prevention and mitigation measures. The final location of Sustainable Urban Drainage Systems (SUDS), including ponds, should be appropriately positioned in accordance with an agreed flood risk assessment;
- (c) Details of all cut and fill operations;

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- (d) Details of all roads, footpaths and cycleways including tie-ins to existing/proposed roads (including confirmation of control over necessary land);
- (e) details of any screen walls/ fencing to be provided;
- (f) Details of all landscaping, planting and screening associated with the development.

Reason: To ensure a satisfactory final layout, appearance and to avoid any flood risk.

3. All soft and hard landscaping proposals approved as part of MSC permission 170510/MSA 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, 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 the interests of protecting trees and ensuring a satisfactory quality of environment.

4. The details approved as part of MSC permission 170510/MSA in relation to the agreed drainage system, shall be provided in its entirety and maintained thereafter throughout the lifetime of the consent in accordance with the approved maintenance scheme. The details submitted also include the future long-term maintenance of the system covering matters such as:
 - (a) Inspection regime relating to matters such as outlets/inlets;
 - (b) Frequency and method of cleaning of filter trenches, removal of silt etc;
 - (c) Grass cutting (and weeding) regime for swales;
 - (d) Means of access for future maintenance;
 - (e) How to ensure that planting will not be undertaken over perforated pipes;
 - (f) Details of the contact parties for future factoring/ maintenance of the scheme to protect the water environment and help reduce flooding.

Reason: To protect the water environment and help reduce flooding.

5. That no development pursuant to this planning permission shall commence unless the following has been approved by way of formal application(s) for approval of Matters Specified in Condition:
 - (a) A detailed and finalised Construction Environment Management Plan (CEMP) including site specific construction method statements, measures to minimise the risk of sediment entering watercourses on the site and the mechanism for compliance;
 - (b) A scheme of noise and dust suppression measures to minimise potential impact during the construction phase; and
 - (c) Details of the SUDS scheme, its adoption and maintenance, in order to manage sediments and pollutants from construction and operation of the development

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have been submitted to and approved in writing by the Planning Authority. The mitigation measures outlined in the CEMP shall be informed by the result of a full ground (water and soil) investigation study.

All works on site must be undertaken in accordance with the approved CEMP unless otherwise agreed in writing with the Planning Authority.

Reason: In order to prevent potential water pollution and to minimise the impacts of construction works on the environment.

6. Prior to commencement of any work in the development, a detailed scheme for the protection and enhancement of the water environment shall be submitted to, and approved in writing by, the planning authority in consultation with SEPA by way of formal application(s) for approval of Matters Specified in Condition. This shall include:
- (a) Confirmation of the location of all existing water bodies on site and demonstration of how they have been positively incorporated into the layout of the development, including appropriate buffer zones between the top of the bank of the watercourse and the development;
 - (b) Full details relating to the realignment of the any watercourse on site, including the Cults Burn. Any redesigned watercourses shall be designed to accommodate the 1 in 200 year flow from the whole catchment. This shall include a low flow channel designed to accommodate the 1 in 200 year flow set within a wider channel capable of conveying the 1 in 200 year flow. In addition, appropriate buffer zones shall be included between the edge of the wider channel (i.e. the extent of channel utilised during high flows) and the development;
 - (c) Full details relating to any other proposed engineering activities in the water environment, including the location and type of any proposed watercourse crossings. Any proposed watercourse crossings shall be designed to accept the 1 in 200 year flow. All works on site must be undertaken in accordance with the approved scheme unless otherwise agreed in writing with the Planning Authority in consultation with SEPA.

Reason: To protect and improve the water environment and to protect people and property from flood risk.

7. That no development shall take place until details in relation to updated surveys for protected species (red squirrel/bats/badgers) have been submitted through a further Matters Specified in Condition application. Subsequently, no development shall take place unless detailed mitigation measures to safeguard any identified protected species have been submitted to and approved in writing by the Planning Authority. No development shall take place unless the mitigation measures which have been agreed in writing by the Planning Authority are carried out in accordance with the agreed scheme.

Reason: To ensure the protection of protected species.

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8. 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 during construction works has been submitted through a further Matters Specified in Condition application, and approved in writing by, the Planning Authority, and that any such scheme as may have been approved has been implemented.

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

9. That no part of the development hereby approved shall be occupied unless a plan and report illustrating appropriate management proposals or the care and maintenance of all trees to be retained and any new areas of planting (to include timing of works and inspections) has been submitted through a further Matters Specified in Condition application, and approved in writing by the Planning Authority. The proposals shall be carried out in complete accordance with such plan and report as may be so approved, unless the Planning Authority has given prior written approval for a variation.

Reason: In order to preserve the character and visual amenity of the area.

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

The Committee also heard from the Clerk who read out a statement on behalf of Cults, Bieldside and Milltimber Community Council, who objected to the application.

The Committee then heard from Mr Mark Peters, Fairhurst, who spoke in support of the application on behalf of the agent for the application.

The Convener moved that the application be approved in line with the officer recommendation.

Councillor Boulton, seconded by Councillor Blake, moved as an amendment that the application be refused for the following reasons:-

The proposal was contrary to T2 (Managing the Transport Impact of Development) and I1 (Infrastructure Delivery and Planning Obligations) of the 2017 Aberdeen Local Development Plan and Policies 13 (Sustainable Transport) and 18 (Infrastructure First) of National Planning Framework 4 due to the additional traffic impact and delay caused by traffic from an additional 250 units on the road network prior to the opening of the Jessiefield Junction improvement and Eastern Link Road to Countesswells and due to a delay in delivery in essential infrastructure required for the wider Countesswells development. The proposal was further contrary to policy T3 (Sustainable and Active Travel) of the 2017 Aberdeen Local Development Plan and Policy 13 (Sustainable Transport)

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due to the delay in delivery of sustainable transport measures along the route from Countesswells to the Jessiefield Junction.

The Convener's motion failed to attract a seconder and was therefore not put to the vote in line with Standing Order 29.12.

The Committee resolved:-

to refuse the application.

At this juncture, in accordance with article 1 of the minute, Councillor Copland left the meeting.

DUTCH MILL HOTEL, 7 QUEENS ROAD ABERDEEN - 221514

6. 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 temporary marquee to the existing north car park to provide a covered external area for outdoor dining and drinking space, at Dutch Mill Hotel, 7 Queens Road Aberdeen, be refused for the following reasons:-

Due to the location of the structure in the frontage area of the building, its form and proposed materials, it was considered that the proposal would have an unacceptable impact on the character of the Albyn/Rubislaw Conservation Area and the setting of the category C listed building. Approval of the proposal would set an undesirable precedent for similar development along Queen's Road and in similar locations throughout the City. It was concluded that these considerations outweighed the benefits to the business, local economy, and community. In the context of Covid-19 social distancing requirements being eased and hospitality venues returning to full capacity, it was considered that there was no longer any compelling justification for this development that could outweigh the identified conflict with the Development Plan.

The proposal would be contrary to Policy D4: Historic Environment and D1: Quality Placemaking and Design in the adopted Aberdeen Local Development Plan 2017 and to Policies D6: Historic Environment D1: Quality Placemaking in the Proposed Aberdeen Local Development Plan 2020 and the Revised Draft National Planning Framework 4, which was a significant material consideration.

The Committee heard from Ms Lucy Greene, Senior Planner, who spoke in furtherance of the application and answered questions from members.

The Committee then heard from Mr Ian Mills and Mr Finlay Cran, who both spoke in support of the proposed application.

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The Committee also heard from Ms Elaine Farquharson-Black, who spoke in support of the application on behalf of the applicant.

The Committee resolved:-

to approve the application subject to the following 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) TIMESCALE FOR CESSATION OF USE AND REMOVAL OF STRUCTURE

That permission for the development hereby approved shall be for a limited period, expiring 3 years from the date of this permission. The use of the marquee shall cease on 10.02.2026, with the marquee being removed from site by 28.02.2026.

Reason: In order to retain control over this temporary form of development and to enable the impact of the development on the amenity of the surrounding area to be reviewed.

(03) NOISE EQUIPMENT

That there shall be no amplified music played in the marquee other than through the equipment identified in the Noise Impact Assessment by Grosle Environmental Services Version 4 dated 24.05.22, namely:

- a) A 100v line speaker system consisting of eight ceiling mounted speakers facing downward inside the marquee as detailed within sections 6.1.1 (and 5.4) and providing a maximum permitted music sound pressure level output of 71 dB(A) at one metre based on assessment conditions detailed within section 5.2.3.

Reason: In the interests of the amenity of the occupiers of nearby buildings.

(04) HOURS OF USE

Use of the marquee shall be prohibited between the hours of 22:00 hours and 12:00 hours on any given day.

Reason – in the interests of the amenity of the area.

(05) TREES

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That the marquee hereby granted planning permission shall not be brought into use unless there are in place at least 4no. trees in the locations indicated on the approved drawings, or others that shall be subsequently agreed, in accordance with details of species and size at planting that have been submitted to, and agreed in writing with the planning authority. If any of the trees die or are severely damaged they shall be replaced with others of the same size and species.

Reason - in the interests of the visual amenity and character of the area and to help screen views of the marquee.

DRAFT ABERDEEN PLANNING GUIDANCE: RESOURCES FOR NEW DEVELOPMENT - PLA/23/046

7. The Committee had before it a report by the Chief Officer – Strategic Place Planning, which presented draft Aberdeen Planning Guidance (APG) on Resources for New Development. The report sought approval to undertake public consultation on the document, with the results of the consultation and any revisions to the document reported back to Full Council for approval before December 2023, as part of a wider report on all current guidance documents to support the Aberdeen Local Development Plan 2023.

The report recommended:-

that the Committee –

- (a) approve the content of the draft Aberdeen Planning Guidance: Resources for New Development (Appendix 1) and adopt the draft document as Interim Planning Advice from the date of adoption of the Aberdeen Local Development Plan 2023;
- (b) instruct the Chief Officer - Strategic Place Planning to, subject to any minor drafting changes, publish the draft Aberdeen Planning Guidance: Resources for New Development document for a six week period of public consultation, and for this consultation to be undertaken at the same time as the public consultation exercise on a number of associated Supplementary Guidance and Aberdeen Planning Guidance documents instructed by Council on 14 December 2022;
- (c) instruct the Chief Officer – Strategic Place Planning to report the results of the public consultation and any proposed revisions to the draft Guidance on Resources for New Development to Council before December 2023 as part of the wider post-consultation report on all current draft guidance documents to support the Aberdeen Local Development Plan 2023; and
- (d) instruct the Chief Officer – Strategic Place Planning to consult the Strategic Environmental Assessment (SEA) Gateway on the associated SEA Screening Report for the draft Aberdeen Planning Guidance document: Resources for New Development, and to publicise the result of the Screening Determinations on the Council's website.

The Committee resolved:-

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- (i) to request that officers undertake a comparison of the adopted 2017 planning documents and the consultation documents, and for the changes to be presented alongside the consultation materials to aid effective engagement; and
- (ii) to approve the recommendations.

DRAFT ABERDEEN PLANNING GUIDANCE: SPACE STANDARDS - PLA/23/050

8. The Committee had before it a report by the Chief Officer – Strategic Place Planning, which presented draft Aberdeen Planning Guidance (APG) on Space Standards. The report sought approval to undertake public consultation on the document, with the results of the consultation and any revisions to the document reported back to Full Council for approval before December 2023, as part of a wider report on all current guidance documents to support the Aberdeen Local Development Plan 2023.

The report recommended:-

that the Committee -

- (a) approve the content of the draft Aberdeen Planning Guidance: Space Standards (Appendix 1) and adopt the draft document as Interim Planning Advice from the date of adoption of the Aberdeen Local Development Plan 2023;
- (b) instruct the Chief Officer - Strategic Place Planning to, subject to any minor drafting changes, publish the draft Aberdeen Planning Guidance: Space Standards document for a six week period of public consultation, and for this consultation to be undertaken at the same time as the public consultation exercise on a number of associated Supplementary Guidance and Aberdeen Planning Guidance documents instructed by Council on 14 December 2022;
- (c) instruct the Chief Officer – Strategic Place Planning to report the results of the public consultation and any proposed revisions to the draft Guidance on Space Standards to Council before December 2023 as part of the wider post consultation report on all current draft guidance documents to support the Aberdeen Local Development Plan 2023; and
- (d) instruct the Chief Officer – Strategic Place Planning to consult the Strategic Environmental Assessment (SEA) Gateway on the associated SEA Screening Report for the draft Aberdeen Planning Guidance document: Space Standards, and to publicise the result of the Screening Determinations on the Council's website;

The Committee resolved:-

- (i) to request that officers undertake a comparison of the adopted 2017 planning documents and the consultation documents, and for the changes to be presented alongside the consultation materials to aid effective engagement; and
- (ii) to approve the recommendations.

- **Councillor Dell Henrickson, Convener**

| | A | B | C | D | E | F | G | H | I | J |
|----|---|---|----------------------|-----------------|--------------------------|-------------|--------------------|---|--|---|
| 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 | | | 09 March 2023 | | | | | | | |
| 4 | Baads Farm, Anguston Road - 221216 | To approve or refuse the application for change of use of land to form a 1 pitch gypsy/traveller site to include one principal caravan, two touring caravans an amenity block and installation of drainage infrastructure and all associated works | | Gavin Clark | Strategic Place Planning | Place | 1 | R | Decision will be made under delegated powers, not required to come to committee. | |
| 5 | 81 Brighton Place - 221086 | To approve or refuse the application for erection of 2 storey extensions to side and rear and formation of door opening to form 2 semi detached dwelling houses | On agenda | Dineke Brasier | Strategic Place Planning | Place | 1 | | | |
| 6 | Land at International Gate, Dyce - 221436 | To approve or refuse the application for extension of an existing car park with associated external lights and landscaping works | On agenda | Matthew Easton | Strategic Place Planning | Place | 1 | | | |
| 7 | Local Review Body Procedure | At the meeting on 12 January 2023, a Notice of Motion was submitted by Councillor Boulton and it was agreed that a report would be brought back in two cycles which reviews the constitution and operation of the Local Review Body to include all matters. | On agenda | Daniel Lewis | Strategic Place Planning | Place | GD 8.7 | | | |
| 8 | | | 20 April 2023 | | | | | | | |
| 9 | 481A Great Western Road - 221533 | To approve or refuse the application for Erection of 17m high telecoms mast with associated equipment | | Roy Brown | Strategic Place Planning | Place | 1 | | | |
| 10 | 108A North Deeside Road - 221146 | To approve or refuse the application for erection of domestic detached garage | | Roy Brown | Strategic Place Planning | Place | 1 | | | |
| 11 | ETZ Masterplan | To present the Masterplan with recommendation to go out for a 4 week consultation | | Laura Robertson | Strategic Place Planning | Place | 4 | | | |

| | A | B | C | D | E | F | G | H | I | J |
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| | 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 | |
| 2 | | | | | | | | | | |
| 12 | Guidance on Outdoor Seating | At the meeting of PDMC on 1 September 2022, it was agreed to approve the content of the draft Guidance on Outdoor Seating; Instruct the Interim Chief Officer - Strategic Place Planning to, subject to any minor drafting changes, publish the draft Guidance on Outdoor Seating document for a four week non statutory public consultation; and instruct the Interim Chief Officer – Strategic Place Planning to report the results of the public consultation and any proposed revisions to the draft Guidance on Outdoor Seating to a subsequent Planning Development Management Committee within the next six months | | Donna Laing | Strategic Place Planning | Place | 5 | | | |
| 13 | PRE APPLICATION FORUM - 92 - 126 John Street | To hear from the applicant on the proposal for major residential or quasi-residential (sui generis) use - potentially flats, build to rent private rented accommodation, student housing, serviced apartments or a mix of these plus supporting facilities and infrastructure | | Gavin Clark | Strategic Place Planning | Place | | | | |
| 14 | | | 25 May 2023 | | | | | | | |
| 15 | | | 22 June 2023 | | | | | | | |
| 16 | | | 24 August 2023 | | | | | | | |
| 17 | | | 21 September 2023 | | | | | | | |
| 18 | | | 02 November 2023 | | | | | | | |
| 19 | | | 07 December 2023 | | | | | | | |
| 20 | Procedure for Representations | At the meeting of PDMC on 3 November 2022, a new draft procedure was agreed for allowing representations to speak at Committee. It was agreed to instruct the Chief Officer – Strategic Place Planning to report back to the Committee on the effectiveness of the Procedure by December 2023. | | Alan Thomson | Strategic Place Planning | Place | 5 | | | |
| 21 | | | Future applications to PDMC (date of meeting yet to be finalised). | | | | | | | |
| 22 | Former Treetops Hotel site - 211528 | To approve or refuse the residential development of 89 units (including 25% affordable) comprising 54 houses and 35 flats over 3, 4 and 6 storey blocks and associated roads and parking, drainage infrastructure, open space and landscaping. | | Matthew Easton | Strategic Place Planning | Place | 1 | | | |
| 23 | Aberdeen Grammar School FP's Club, 86 Queens Road - 211806 | To approve or refuse the application for erection of 3no. villas, 4no. apartments and 2no. maisonette apartments with associated works | | Jane Forbes | Strategic Place Planning | Place | 1 | | | |

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| | 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 | |
| 2 | | | | | | | | | | |
| 24 | Summerhill Church Stronsay Drive - 220990 | To approve or refuse the application for redevelopment of church and manse site for residential development (14 dwellings) | | Lucy Greene | Strategic Place Planning | Place | 1 | | | |
| 25 | Former Cordyce School, Riverview Drive - 221232 | To approve or refuse the application for erection of 91 homes including associated infrastructure, open space and landscaping | | Dineke Brasier | Strategic Place Planning | Place | 1 | | | |
| 26 | Former Braeside School - 221310 | To approve or refuse the application for erection of 30 affordable residential units with associated infrastructure and open space | | Matthew Easton | Strategic Place Planning | Place | 1 | | | |
| 27 | Land At Greenferns Sites OP28 & OP33 | To approve or refuse the application for Residential-led, mixed use development comprising approximately 1,650 homes, employment use, a neighbourhood centre comprising local retail and commercial provision, leisure and community uses and associated infrastructure including new and upgraded access roads, landscaping, open space and engineering works | | Gavin Clark | Strategic Place Planning | Place | 1 | | | |
| 28 | 56 Park Road - 221074 | To approve or refuse the application for the erection of 30 flats | | Robert Forbes | Strategic Place Planning | Place | 1 | | | |
| 29 | Wallace Tower - 221380 - DPP | To approve or refuse the application for Change of use from residential dwelling (class 9) to mixed use (class 3 and 4) including community cafe, with ancillary office accommodation and meeting hall; erection of single storey extension to form additional seating areas to cafe; formation of access ramp, external seating area and erection of bin store with associated hard and soft | | Dineke Brasier | Strategic Place Planning | Place | 1 | | | |
| 30 | Wallace Tower - 221379 - LBC | To approve or refuse the application for Conversion of existing building to form community cafe with ancillary office accommodation and meeting hall; erection of single storey extension to form additional seating areas to cafe; alterations to internal partitions; formation of access ramp, external seating area and erection of bin store with associated hard and soft landscaping works | | Dineke Brasier | Strategic Place Planning | Place | 1 | | | |
| 31 | The James Hutton Institute, Countesswells Road - 221419 | To approve or refuse the application for formation of access road, amended car parking and associated drainage | | Matthew Easton | Strategic Place Planning | Place | 1 | | | |

| | A | B | C | D | E | F | G | H | I | J |
|----|--|--|--------|------------------|--------------------------|-------------|--------------------|---|--|---|
| | 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 | |
| 2 | | | | | | | | | | |
| 32 | Electricity Substation Willowdale Place - 221537 | To approve or refuse the application for erection of new building to form extension and upgrade of existing electricity substation | | Alex Ferguson | Strategic Place Planning | Place | 1 | | | |
| 33 | Former Lloyds TSB 495-499 Great Western Road 221298 | To approve or refuse the application for change of Use from Class 2 to Class 3 (food & drink), change of use of pavement to outdoor seating with associated enclosure and canopy | | Alex Ferguson | Strategic Place Planning | Place | 1 | | | |
| 34 | 35 Summer Street - 221304 | To approve or refuse the application for change of use from class 4 (offices) to 7 (hotel) | | Robert Forbes | Strategic Place Planning | Place | 1 | | | |
| 35 | Aberdeen Local Development Plan 2022 – Draft Aberdeen Planning Guidance: Masterplans and Planning Briefs | | | Andrew Brownrigg | Strategic Place Planning | Place | 4 and 5 | | | |

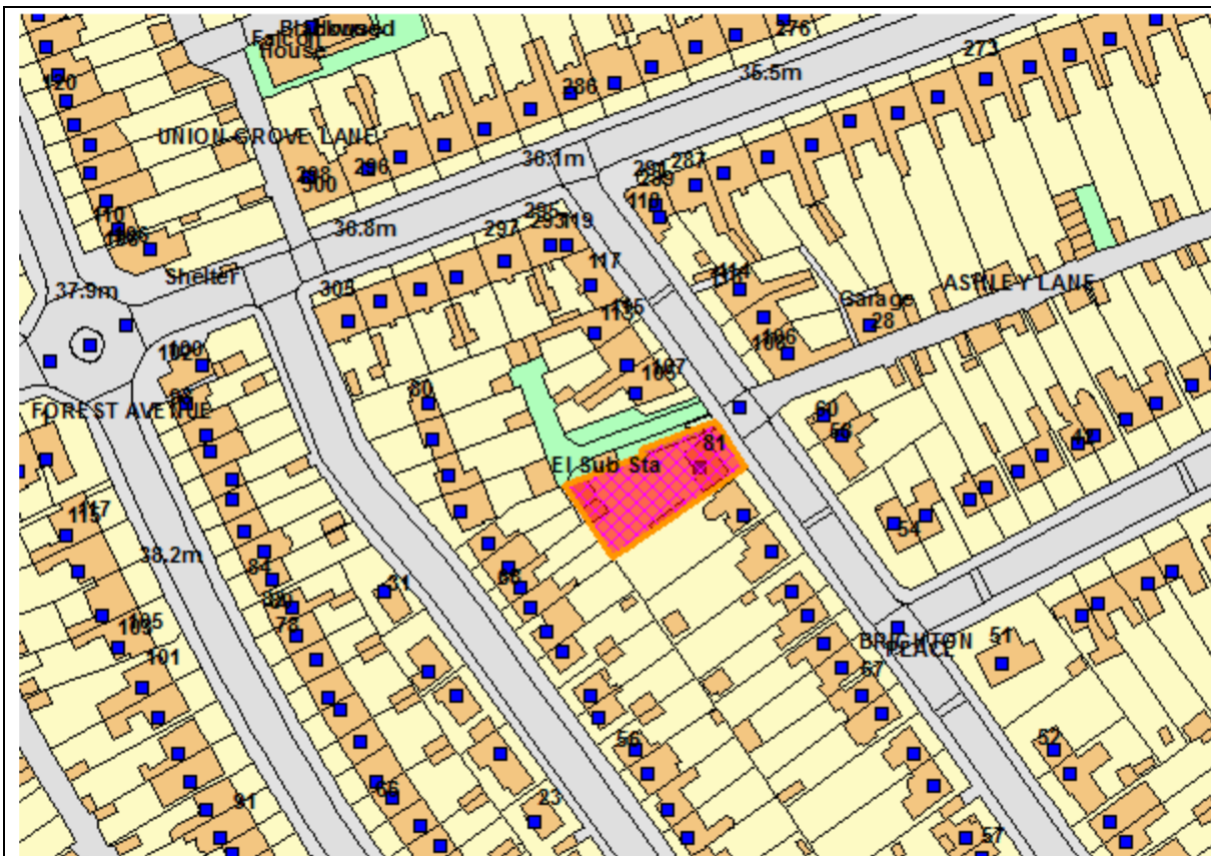


Planning Development Management Committee

Report by Development Management Manager

Committee Date: 9 March 2023

| | |
|--------------------------|---|
| Site Address: | 81 Brighton Place, Ashley, Aberdeen, AB10 6RT |
| Application Description: | Erection of extensions to side and rear and formation of door opening to form 2 semi-detached dwelling houses |
| Application Ref: | 221086/DPP |
| Application Type | Detailed Planning Permission |
| Application Date: | 3 October 2022 |
| Applicant: | Mr John Anderson |
| Ward: | Hazlehead/Queen's Cross/Countesswells |
| Community Council: | Ashley and Broomhill |
| Case Officer: | Dineke Brasier |



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RECOMMENDATION

Approve Conditionally

APPLICATION BACKGROUND

Site Description

The application site is an irregular shaped area measuring c.730m² and is currently occupied by a single 1½ storey traditional granite detached dwelling and its residential curtilage to the front and rear. The property has a north-east facing principal elevation fronting onto Brighton Place to the west. To the south is a similar detached dwelling at 79 Brighton Place; to the west are 2 storey terraced dwellings fronting onto Annfield Terrace and to the north is a rear service lane providing access to the rear gardens of the application site and properties onto Annfield Terrace and Brighton Place. Beyond this service lane are 2½ storey flatted buildings.

The site is located in an existing residential area and falls just outside the Albyn Place/Rubislaw Conservation Area, the boundary of which runs along the north of the service lane, with the north boundary of the Great Western Road Conservation Area running c.125m further south.

Relevant Planning History

- 111877 – Erection of car port to rear – Approved on 14th February 2012;
- 180922/DPP – Replacement of existing dwelling house with 4no. residential flats including car parking and landscaping – Refused on 4th September 2018;
- 190778/DPP – Change of use from amenity land to domestic garden ground to facilitate new access, driveway and erection of boundary wall to rear – Approved on 15th August 2019; and
- 191880/DPP – Erection of new dwellinghouse to rear – Refused on 24th February 2020 and subsequently dismissed on appeal by the Scottish Government Planning and Environmental Appeals Division.

APPLICATION DESCRIPTION

Description of Proposal

Erection of single storey side and rear extensions with accommodation in the roof space, and formation of new door opening to facilitate the subdivision of the existing single detached dwelling into two semi-detached properties. The proposed rear extension would project c.6.85m from the rear elevation of the dwelling; would have a width of c.8m; an eaves height of c.2.7m and ridge height of c.6m matching that of the original dwelling. Fenestration would include two sets of full height double windows on the ground floor and one full height window on the first floor – all in the rear (west) elevation. The side (south) elevation would contain a high-level window and another small window, whereas the other side (north) elevation would contain a single door and window. Two rooflights would be located in the north roofslope and one in the south. The rear extension would be finished in off-white render with elements of dark grey painted timber cladding and slates for the roof.

The proposed side extension would be located to the north, and would measure c.2.1m by c.6.5m. It would have an eaves height of c.2.6m and a ridge height of c.5.5m. The extension would contain a single door to the front, small window to the rear and single rooflight in the rear roofslope. Proposed finishing materials include dark grey painted timber cladding and slates for the roof.

The proposal further includes the subdivision of the resultant property into 1no. 2-bed dwelling and 1no. 3-bed dwelling. The 2-bed dwelling would occupy the northern half of the building, would have access to a driveway and parking area immediately to the rear accessed from the service lane, and an enclosed private rear garden. The 3-bed dwelling would occupy the southern half of the building, and would have an L-shaped plot including a parking area using the existing car port accessed from the service lane.

Amendments

In agreement with the applicant, the following amendments were made to the application:

Design of the extension has been revised.

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=RHJ85QBZJAV00>

- Planning Statement by Aurora Planning providing a justification for the proposed development.

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because more than 6 letters of objection were received.

CONSULTATIONS

ACC - Roads Development Management Team – No roads concerns with the principle of the development. Dimensions of the existing car park are requested to ensure there is sufficient space to park 2 cars in line with ACC standards. Passive EV charging should be provided.

ACC - Environmental Health – No concerns or observations

ACC - Waste and Recycling – No objection. General comments provided in relation to waste collection.

Archaeology Service – No objection, but recommends the inclusion of a condition setting out that a photographic survey of the existing building is undertaken and submitted to the Planning Authority prior to any works (including demolition works) to the building.

Ashley And Broomhill Community Council – None received

REPRESENTATIONS

A total of eighteen timeous letters of objection were received during the initial neighbour notification period, raising the following matters:

1. Adverse impact on character of the area in terms of overdevelopment; curtilage split; density; shape and width of the plots would undermine the established character of development;
2. Inappropriate design; inappropriate materials;
3. Inadequate level of accommodation provided; insufficient garden ground; no rear access to one of the plots;
4. Adverse impact on residential amenity of 79 and 105 Brighton Place;
5. Impact on pedestrian safety in the lane and on the pavement running across the entrance to the lane from Brighton Place due to an increase in traffic;
6. Vehicular access to plot 1 immediately adjacent to pedestrian access/narrow lane leading up to 68-72 Annfield Terrace, impacting on their safety;
7. Insufficient parking proposed that is only accessible through the lane; would result in

- additional pressure for on-street parking on Brighton Place;
8. Bin stores would be remote from Brighton Place;
 9. Existing flooding issues would be aggravated;
 10. Loss of a traditional family dwelling;
 11. Previous proposals to gain additional dwelling(s) on the site; and
 12. Proposal would set a precedent for similar development in the area;

Following revisions to the design of the extension, renotification took place, resulting in a further 11 timeous letters of objection, including two individuals who had not submitted comments previously, raising the following additional matters:

13. Large area of timber cladding and render retained in revised proposals. Inappropriate material in this context;
14. Following revisions all first floor accommodation serving plot 1 would be limited as it would all have sloping ceilings, reduced room volume and limited daylight;
15. Disabled access to both plots would be problematic;
16. Large extension is contrary to NPF spatial principle 2 and would contribute towards climate change;
17. No information in relation to reduction of carbon emissions;

MATERIAL CONSIDERATIONS

Legislative Requirements

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

Development Plan

National Planning Framework 4

National Planning Framework 4 (NPF4) is the long-term spatial strategy for Scotland and contains a comprehensive set of national planning policies that form part of the statutory development plan. The relevant provisions of NPF4 that require consideration in terms of this application are –

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 3 (Biodiversity)
- Policy 7 (Historic Assets and Places)
- Policy 12 (Zero Waste)
- Policy 13 (Sustainable Transport)
- Policy 14 (Design, Quality and Place)
- Policy 15 (Local Living and 20 Minute Neighbourhoods)
- Policy 16 (Quality Homes)

Aberdeen Local Development Plan (2017)

Section 16 (1)(a)(ii) of the Town and Country Planning (Scotland) Act 1997 requires that, where there is a current local development plan, a proposed local development plan must be submitted

to Scottish Ministers within five years after the date on which the current plan was approved. The ALDP is beyond this five-year period.

The following policies are relevant –

- Policy H1 (Residential Areas)
- Policy D1 (Quality Placemaking by Design)
- Policy D4 (Historic Environment)
- Policy R6 (Waste Management Requirements for New Development)
- Policy R7 (Low and Zero Carbon Building and Water Efficiency)
- Policy T2 (Managing the Transport Impact of Development)
- Policy T3 (Sustainable and Active Travel)

Supplementary Guidance and Technical Advice Notes

- Householder Development Guide
- Subdivision and Redevelopment of Residential Curtilages
- Transport and Accessibility

Proposed Aberdeen Local Development Plan (2020)

The Report of Examination on the Proposed Aberdeen Local Development Plan 2020 (PALDP) was received by the Council on 20 September 2022. All the recommendations within the Report have been accepted and the modifications made to the PALDP were agreed by Full Council on 14 December 2022. The PALDP constitutes the Council's settled view as to the content of the final adopted ALDP and is now a material consideration in the determination of planning applications. The exact weight to be given to matters contained in the PALDP (including individual policies) in relation to specific applications will depend on the relevance of these matters to the application under consideration.

The following policies are relevant –

- Policy H1 (Residential Areas)
- Policy D1 (Quality Placemaking)
- Policy D6 (Historic Environment)
- Policy D2 (Amenity)
- Policy R5 (Waste Management Requirements in New Developments)
- Policy R6 (Low and Zero Carbon Buildings, and Water Efficiency)
- Policy T2 (Sustainable Transport)
- Policy T3 (Parking)

Other Material Considerations

- Appeal decision PPA-100-2110 in relation to previous application 191880/DPP for the erection of one dwellinghouse to the rear of the existing property.

EVALUATION

Principle of Development

The site is located in an existing residential area. Policy 16 (Quality Homes) of NPF4 applies, which aims to provide more high quality, affordable and sustainable homes in the right locations ensuring that the diverse housing needs of people and communities across Scotland are met. This policy sets out in (f) that development proposals for new homes on land not allocated for housing in the LDP will only be supported in limited circumstances where the proposal is supported by an agreed timescale for build-out; and the proposal is otherwise consistent with the plan spatial

strategy and other relevant policies including local living and 20-minute neighbourhoods and the proposal is for smaller scale opportunities within an existing settlement boundary.

In this case, the site is located in an existing residential area, and is in close proximity to a wide range of shops and services, including the St Swithin Street Neighbourhood Centre, and is within walking distance (c.800m) from the city centre boundary. In policy 15 (Local Living and 20 Minute Neighbourhoods) of NPF4, the development of 20-minute neighbourhoods is encouraged, where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking, wheeling or cycling or using sustainable transport options. In this case, given that the site is located within a well-established residential area served by a good range of shops and services, it is considered that this policy would be met. In addition, the site is set within an existing network of walking and cycling routes, and there are bus routes running along both Union Grove to the north and Great Western Road to the south, which would provide ready access to various public transport options to and from the city centre, the western suburbs and Deeside beyond.

In addition, policy 12 (Zero Waste) of NPF4 sets out that development proposals that reuse existing buildings will be supported. In this case, the proposal is to extend and convert the existing single detached dwelling into a pair of semi-detached dwellings, and would thus aim to reuse an existing building, in compliance with this policy.

Taking consideration of the above, it is considered that the principle of the development would be compliant with policies 12, 15 and 16 as set out in NPF4, subject to compliance with all other relevant Development Plan policies.

Policy H1 of the 2017 Aberdeen Local Development Plan (ALDP) applies. This policy sets out that residential development is acceptable in principle, provided it:

- Does not constitute overdevelopment;
- Does not have an adverse impact on the character and amenity of the surrounding area; and
- Does not result in the loss of open space; and
- Complies with relevant Supplementary Guidance – in this case both the Householder Design Guide and SG on Subdivision and Redevelopment of Residential Curtilages.

The existing site is residential curtilage and as such would not result in the loss of open space, meeting this criterion. The impact of the proposed development on the first two matters will be discussed in detail below.

Impact on the character of the surrounding area

Policy 14 (Design Quality and Place) of NPF4 aims to encourage, promote and facilitate well designed development that makes successful places. Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places will not be supported. Policy D1 (Quality Placemaking by Design) of the ALDP sets out that all development must follow a thorough process of site context appraisal to arrive at an appropriate proposal. Not all development will be of a scale to make a significant placemaking impact. However, all good design and detail adds to the attractiveness of the built and natural environment, and careful consideration is key. Places that are distinctive and designed with a real understanding of context will sustain and enhance the social, economic and environmental attractiveness of the city. All proposals will be considered against the six essential qualities: distinctive; welcoming; safe and pleasant; easy to move around; adaptable; and resource efficient.

Further guidance is provided in the Householder Development Guide (HDG) and Supplementary

Guidance on Subdivision and Redevelopment of Residential Curtilages (SG). The first is relevant as the proposal would include an extension of an existing building rather than demolition and reconstruction, whereas the second provides guidance as to when subdivision of a residential curtilage would be considered acceptable. In addition, Technical Advice Note: Materials is relevant in relation to the appropriateness of external materials.

Scale, massing and design

The HDG sets out in its 'General Principles' that an extension to a property should be architecturally compatible in design and scale with the original house and its surrounding area. Any extension should not overwhelm or dominate the original form or appearance of the dwelling and should be visually subservient. It further specifies that the built footprint of the original dwelling cannot be doubled, and that no more than 50% of the rear or front curtilage shall be covered by development.

In this case, the proposed rear extension to the dwelling would project a maximum of c.6.9m from the rear elevation and be a width of c.7.9m, resulting in a footprint of c.51m². The proposed side extension would project c.2.1m from the side elevation and be a width of c.6.5m, resulting in a footprint of c.13.7m². The overall increase in footprint of the property would thus be 64.7m². The original dwelling has a footprint of c.89m², and the proposal would thus not result in a doubling of the footprint of the dwelling. In addition, due to the large size of the rear curtilage, the proposed extension in addition to the existing outbuildings to the rear of the curtilage would not cover more than 50% of this area. These criteria are thus met.

The proposed rear extension would be single storey with additional accommodation in the roof space and would have a pitched roof design. Both the eaves and ridge height would match that of the existing dwelling. The extension would be set in from the side and would not cover the full width of the dwelling. Even though large, it is considered that the extension would not overwhelm the existing dwelling, and its scale, massing and design is acceptable in the context of the original property. Proposed finishes include timber linings, off-white render and a slated roof. Even though the existing dwelling is constructed of granite, it is considered that this mix of finishes is generally acceptable for extensions to dwellings of a form and design such as the application property. It is further considered that, as the extension is located to the rear of the property and though visible from the service lane to the north, it would not have a detrimental impact on the visual amenity, character and setting of the Albyn Place/Rubislaw Conservation Area, which is located immediately to the north in line with relevant policies.

The proposed side extension would also be single storey with additional accommodation in the roof space. It would be set back from both the front and rear elevation by c.0.4m – sufficient to provide a clear separation between the original dwelling and the side extension. This would also result in a lower ridge height. These elements would ensure that the proposed side extension would read as a later, modest addition to the original dwelling and ensures it is visually subservient. Proposed finishes would include timber cladding for the walls and a slated pitched roof. Again, these materials are considered complementary to the original granite and generally acceptable for extensions to these properties outside the conservation area.

Taken together, it is considered that the design, scale and massing of the proposed extensions would meet the relevant criteria from policies 7, 14 and 16 of NPF4; policies H1, D1 and D4 of the 2017 ALDP; policies H1, D1 and D6 of the 2020 PLDP and relevant sections of the HDG and Technical Advice Note 'Materials'.

Site context

Policy D1 (Quality Placemaking by Design) of the 2017 ALDP sets out that all development must be based on a thorough process of context appraisal, and that the context will differ from site to

site. Supplementary Guidance on 'Subdivision and Redevelopment of Residential Curtilages' (SG) provides guidance in relation to curtilage splits and redevelopment proposals. It is acknowledged that this current application would consist of the extension of an existing building rather than demolition and rebuild and as such would not necessarily be considered redevelopment. However, the general principles in relation to curtilage splits remains relevant. This sets out that:

1. New dwellings must respect the established pattern of development formed by the relationship between buildings and their surrounding spaces (gardens etc.);
2. The scale and massing of any new dwellings should complement the scale of surrounding properties; and
3. The density of the surrounding area should be reflected in the proposals for the new and existing property.

In this case, the proposed building would be extended to the side and rear and then split into two semi-detached dwellings. Other alterations to the existing site layout would be to split the rear curtilage in two separate gardens. Plot 1 would be served by an L-shaped garden generally with a general width of c.7.5m with a c.5.5m wide section running between the rear boundary of properties on Annfield Terrace and the rear boundary of the garden serving Plot 2 to allow for in-curtilage parking for Plot 1. The resultant plot would measure c.374m² and an existing outbuilding measuring c.35m² would be retained. This existing outbuilding would be used as a car port. Including this existing outbuilding, a total of 31% of the plot would be developed, whilst the dwelling itself with a footprint of c.78m², so excluding the car port, would take up a total of 21% of the plot.

Plot 2 would be served by a rear garden that widens out. The total plot would measure c.352m². Vehicular access to two in-curtilage parking spaces would be provided through an existing driveway to the side of the plot that was approved and implemented following planning permission P190778/DPP. The dwelling would have a footprint of c.70.5m², resulting in a total developed area of c.20%.

Development in the surrounding area is characterised by a mix of detached, semi-detached and terraced properties with long, rectangular gardens. The site subject of this application is the northern most one of a row of three detached dwellings that are relatively unique in the surrounding area. Both other properties have been extended in the past. All three dwellings have, in comparison to the wider surrounding area, relatively large plots. However, the application property, due to its position immediately adjacent to the service lane, is the only one that widens out to the rear, with the rear garden being some 7m wider at its widest point compared to its narrowest immediately to the rear of the proposed extension. In addition, the owner of the site has previously bought an additional piece of land to the side to increase the size of the garden further. As such, even when taking account of the existing outbuildings on the site, which include the previously mentioned car port, a further extension to this building and a collection of small sheds on the boundary with 79 Brighton Place, the overall plot ratio is relatively low at 21%. When excluding the outbuildings, to facilitate comparison of plot ratios with properties in the surrounding area, the plot ratio is lower at 12%. This compares to approximate development ratios of around 15% for the other two detached dwellings, rising to approximately 25-30% further south along Brighton Place and for the two semi-detached dwellings immediately opposite at 58 and 60 Brighton Place. As such, the proposed plot ratios of c.21% and c.20% respectively would be appropriate in this context and the resultant development would not be considered overdevelopment of the site.

The general pattern of development is characterised by properties with either a north-east or south-west facing principal elevation fronting onto residential streets with linear gardens. Properties facing onto Brighton Place tend to have a longer, larger gardens than dwellings facing onto Annfield Terrace to the west. It is acknowledged that, following the proposed development,

the shape of the gardens would be different than that prevalent in the surrounding area. Vehicular access to the service lane and two in-curtilage parking spaces would be provided for Plot 1, resulting in an L-shaped garden serving this dwelling. This in turn would ensure that the rear garden of Plot 2 would not extend the full length of the application site to the rear boundary with properties on Annfield Terrace. The resultant garden for Plot 1 would have an average width of c.7.5m whereas the rear garden for Plot 2, due to the increase in width further to the rear, would vary between c.9m and c.13.2m. The gardens serving the two detached dwellings at 77 and 79 Brighton Place both measure c.13.5m in width, and the resultant gardens would thus be narrower than these. However, when moving further south, the width of the proposed gardens would be more in line to that of other semi-detached dwellings along Brighton Place, including 73-75 Brighton Place. As such, even though narrow when compared to the two other detached dwellings in the row, the width of the gardens would resemble that of other semi-detached dwellings in the immediate vicinity.

It is acknowledged that the L-shape of the garden serving Plot 1 would be unusual in the surrounding context. However, the benefit of providing on-site parking spaces and vehicular access to this dwelling, in combination with the minimum visual impact this division would have on the surrounding area is accepted in this instance.

In conclusion, it is considered that the design, scale and massing of the extension would be an appropriate addition to the original dwelling; and that the proposal to subdivide the house and rear garden would not have an adverse impact on the character of the surrounding area and that due consideration has been taken of the surrounding site context, in line with policy 14 of NPF4, policies H1 and D1 of the 2017 ALDP; policies H1 and D1 of the 2020 PLDP and relevant sections of the Supplementary Guidance on 'Subdivision and Redevelopment of Residential Curtilages'

Residential amenity

Application property

Plot 1 would provide a hallway; open plan lounge/kitchen/dining area; utility room; bedroom and bathroom on the ground floor, with a further two bedrooms and shower room provided on the first floor. The internal floor area would measure c.130m², although it is acknowledged that all first floor accommodation would have sloping ceilings. Plot 2 would provide a hallway; open plan lounge/kitchen/dining area; bathroom and bedroom on the ground floor with a further bedroom on the first floor. The internal floor area would measure c.81m², although again the upstairs bedroom would have a sloping ceiling. All of these floor areas would be considered to provide an acceptable amount of living accommodation.

SG sets out that a two storey dwelling should have a rear garden of at least 9m in length. Garden ground should be conveniently located immediately adjoining residential properties, be in a single block of a size and layout usable for sitting out and have an acceptable level of privacy and amenity. Plot 1 would have a garden with a length of c.22m, and Plot 2 a private rear garden with a length of c.16m, located immediately to the rear of the dwelling. Gardens would have a south-west facing aspect, and would not be unduly overshadowed. As such, they are considered to provide a good quality external amenity space, in line with the requirements as set out in SG.

Overall, it is considered that the level of residential amenity provided for future residents of the units would be acceptable and in line with that expected under policies H1 and D1 of the 2017 ALDP; policies H1, D1 and D2 of the 2020 PLDP and Supplementary Guidance on Subdivision and Redevelopment of Residential Curtilages.

Neighbouring dwellings

79 Brighton Place

No development should result in a situation where the amenity of any neighbouring properties would be adversely affected. Significant adverse impact on privacy, daylight and general amenity

will count against a development proposal. The nearest residential property to the application site is 79 Brighton Place to the south. This is a similar detached dwelling as the application property, with a conservatory to the rear. Annex 2 of HDG sets out methods to ensure development does not impinge on daylight or sunlight of neighbouring properties. It sets out that where existing windows would directly face the proposed development, the 25° method should be applied. This consists of a line drawn at a 25° angle from the mid-point window of the lowest windows in the existing building towards the proposed development. If this line does not cross the proposed development, it is unlikely to have a substantial effect on daylight to this existing dwelling. In this case, given that the neighbouring conservatory is predominantly glazed, this 25° method has been applied, and demonstrates that the line drawn from the mid-point of the conservatory window clears the proposed extension. As such, the proposal would not have a significant adverse impact on daylight to this property.

Due to the distance between the proposed extension, which is set in c.4m from the boundary between the two properties, and its relatively low single storey height, the proposed extension would not result in excessive overshadowing of the neighbouring property.

In relation to a loss of privacy, the proposed extension introduces two ground floor windows in the side elevation facing 79 Brighton Place. These windows, one of a high-level design and one serving a bathroom, would, due to their design and the intended use of the rooms behind, in combination with boundary treatment between the two properties, would not result in excessive overlooking or significant loss of privacy to this dwelling. A suitably worded condition requiring the use of opaque glazing in the ground floor bathroom window would further ensure no overlooking would take place between the two properties. Similarly, on the upper floor, is a single rooflight serving a bathroom. This again, due to the use of the room behind and its position on the roof, is not considered to have a significant adverse impact on privacy or excessively increase overlooking of this neighbouring dwelling.

Other neighbouring dwellings

105 Brighton Place is located to the north of the application property, and the plots are separated by the private access lane. The distance between the side facing ground floor window of the proposed development and the side elevation of this dwelling is c.18m. It is generally considered that a distance of 18m is sufficient to ensure retention of a good level of privacy between two properties, and this is therefore acceptable.

Similarly, there would be a distance of c.22m from the rear elevation of the development to the rear boundary of the plot, and the proposal would not have an adverse impact on overlooking or loss of privacy of the private rear gardens of any of the properties on Annfield Terrace to the rear.

It is acknowledged that two parking spaces would be located to the rear of the plot, immediately adjacent to the rear boundary of 70 and 72 Annfield Terrace and that this could result in an increase in noise coming from cars entering and exiting the plot. However, it should be considered that there is an existing vehicular access into the plot from the rear, and that the car port is existing. As such, it is not considered that this would result in a materially different situation and this potential impact is accepted.

Taking together, it is considered that the proposal would provide a good level of living accommodation for future occupiers, and would not have a significant detrimental impact on residential amenity of any neighbouring properties. The proposal thus complies with relevant parts of policy 14 of NPF4, policies H1 and D1 of the 2017 ALDP, policies H1, D1 and D2 of the 2020 PLDP and Supplementary Guidance on 'Subdivision and Redevelopment of Residential Curtilages' and the 'Householder Development Guide'.

Parking and access

Maximum parking standards are set out in Supplementary Guidance on Transport and Accessibility, and sets out that for both two and three bedroom dwellings, two parking spaces per unit should be provided. Each plot will have two in-curtilage parking spaces, accessed through existing vehicular accesses into the plot. EV charging points would be provided for both plots. This is considered acceptable and in line with criteria as set out in the relevant Supplementary Guidance

The proposal would result in an increase in use of the lane. Comments have been received, setting out that this could have an adverse impact on both pedestrians using the lane itself, and pedestrians, especially children going to and from nearby Ashley Road School, crossing the entrance to the lane on Brighton Place. However, it is considered that this slight increase of two cars would not have a significant impact on road safety or would increase its intensity of use to unacceptable levels.

The site is located in a sustainable location in close proximity to a range of shops and services. In addition, it is within walking distance to the city centre, and various bus routes along Union Grove to the north and Great Western Road to the south – providing good quality access to public transport to the city centre and the areas to the west.

This aspect of the proposal is thus considered to be in compliance with the relevant sections of policy 13 (Sustainable Transport) of NPF4, policies T2 (Managing the Transport Impact of Development) and T3 (Sustainable and Active Travel) of the 2017 ALDP, policies T2 (Sustainable Transport) and T3 (Parking) of the 2020 PLDP.

Other matters

Flooding

Comments have been received in relation to flooding of the lane, resulting in a pooling of water at the entrance of the lane into Brighton Place, which, in turn, can result in icy conditions in that location during the winter. It is considered that this is an existing situation, and that the proposed development would not have any additional impact on this. SEPA flood maps have been consulted, and these do not show any results. It is likely that these flooding problems stem from poor drainage across the lane, potentially in combination with the existing substation structure, and that this is a civil matter between the owner of the lane and the adjoining properties.

Waste

Each property would have sufficient space for bin storage in the rear curtilage. Easy access from plot 2 to the kerb on Brighton Place is available through the existing vehicular access serving that plot. Plot 1 would either need to take their bins up and down the steps to the front of the property or cross the front garden of Plot 2 to present their bins on Brighton Place. This solution is accepted by Waste Management and in line with policy R6 of the 2017 ALDP and R5 of the 2020 PLDP.

Low and zero carbon building

Policy R7 (Low and Zero Carbon Building) sets out that all new buildings must meet at least 20% of the building regulations carbon dioxide emissions reduction target applicable at the time of the application through the installation of low and zero carbon generating technology. However, the policy specifies that this does not apply to either extensions, or change of use or conversion of buildings. In this case, the proposal would not result in a new building, but would constitute an extension resulting in a conversion of the existing dwelling to two properties. As such, this policy is not directly relevant to this current application.

Archaeology

Although not located in a conservation area, nor listed, the property represents an early 20th

century traditional granite property that will see significant alteration if the proposal is approved. Archaeology Service has assessed the application, and seeks inclusion of a suitably worded condition requesting a photographic survey of the building prior to any development taking place.

Proposed Aberdeen Local Development Plan

The Report of Examination does not affect policies in a manner that is relevant to this application. The relevant PALDP policies substantively reiterate those in the adopted ALDP and therefore the proposal is acceptable in terms of both plans for the reasons previously given.

Policy D2 (Amenity) is a new policy aimed at ensuring an acceptable level of residential amenity is provided for new development and retained for existing buildings. This has been discussed in detail above, and it is considered that the proposal meets the criteria as set out in this policy.

Matters raised in letters of objection

1. Adverse impact on character of the area in terms of overdevelopment; curtilage split; density; shape and width of the plots would not undermine the established character of development – *These matters have been addressed in the evaluation above;*
2. Inappropriate design; inappropriate materials – *These matters have been addressed in the evaluation above;*
3. Inadequate level of accommodation provided; insufficient garden ground; no rear access to one of the plots – *These matters have been addressed in the evaluation above;*
4. Adverse impact on residential amenity of 79 and 105 Brighton Place – *These matters have been addressed in the evaluation above;*
5. Impact on pedestrian safety in the lane and on the pavement running across the entrance to the lane from Brighton Place due to an increase in traffic – *These matters have been addressed in the evaluation above;*
6. Vehicular access to plot 1 immediately adjacent to pedestrian access/narrow lane leading up to 68-72 Annfield Terrace, impacting on their safety – *As the proposal would not introduce a new vehicular access in this location, and due to the low intensity of the traffic associated to the proposed use, this would be acceptable;*
7. Insufficient parking proposed that is only accessible through the lane; would result in additional pressure for on-street parking on Brighton Place – *These matters have been addressed in the evaluation above;*
8. Bin stores would be remote from Brighton Place – *These matters have been addressed in the evaluation above;*
9. Existing flooding issues would be aggravated – *These matters have been addressed in the evaluation above;*
10. Loss of a traditional family dwelling – *This is not a material planning consideration;*
11. Previous proposals to gain additional dwelling(s) on the site – *Previous decisions, including the appeal decision PPA-100-2110 in relation to previous application 191880/DPP have been considered. However, it is considered that the proposal is sufficiently different from these previous proposals to be considered on its own merits; and*
12. Proposal would set a precedent for similar development in the area – *It is considered that, due to the shape and size of the application property and its specific context and position in the street, the potential for similar development in the immediate surrounding area is severely limited and in each case, all development is assessed on a site-by-site basis;*
13. Large area of timber cladding and render retained in revised proposals. Inappropriate material in this context – *These matters have been addressed in the evaluation above;*

14. Following revisions all first floor accommodation serving plot 1 would be limited as it would all have sloping ceilings, reduced room volume and limited daylight – *These matters have been addressed in the evaluation above;*
15. Disabled access to both plots would be problematic – *This would be similar as the current detached dwelling. Level access would be available through the garden area to each dwelling;* and
16. Large extension would contribute towards climate change; no information in relation to reduction of carbon emissions – *The proposal would extend an existing dwelling and subdivide this into two separate units which would represent an efficient use of land. As the proposal is for extension and conversion, there is no requirement to provide information on low and zero carbon measures;*

RECOMMENDATION

Approve Conditionally

REASON FOR RECOMMENDATION

The site is located in an existing residential area, in a sustainable location close to a variety of shops, services and public transport routes; well-connected into an existing walking and cycling network; and would result in the reuse of an existing building. The principle of the proposal would therefore comply with criteria as set out in policies 12 (Zero Waste); 15 (Local Living and 20 Minute Neighbourhoods) and 16 (Quality Homes) of NPF4; policy H1 (Residential Areas) and T3 (Sustainable and Active Travel) of the 2017 Aberdeen Local Development Plan (ALDP) and policy H1 (Residential Areas) and T2 (Sustainable Transport) of the 2020 Proposed Local Development Plan.

The design, scale and massing of the proposed extensions are considered not to be overbearing on the existing dwelling, with its single storey design appropriate and in keeping with the scale and massing of the existing building. Proposed materials are in keeping with development in the general area, the proposal would not result in a doubling of the footprint of the original building, or more than 50% of the rear curtilage development; and is not considered to have an adverse impact on the character and setting of the Albyn Place/ Rubislaw Conservation Area. This is all in compliance with the relevant criteria from policies 7 (Historic Assets); 14 (Design, Quality and Place) and 16 (Quality Homes) of NPF4; policies H1 (Residential Areas), D1 (Quality Placemaking by Design) and D4 (Historic Environment) of the 2017 ALDP; policies H1 (Residential Areas), D1 (Quality Placemaking) and D6 (Historic Environment) of the 2020 PLDP and relevant sections of the Householder Design Guide and Technical Advice Note on 'Materials'.

The proposed subdivision of the resultant building would result in a level of development that is not considered out of context in the surrounding area; orientation of garden ground would generally match that in the surrounding area. It is thus not considered to have an adverse impact on the character of the surrounding area, and due consideration of the surrounding site context has been taken in the development of the proposal. This is in line with policy 14 (Design, Quality and Place) of NPF4; policy H1 (Residential Areas) and D1 (Quality Placemaking by Design) of the 2017 ALDP; policies H1 (Residential Areas) and D1 (Quality Placemaking) of the 2020 PLDP; and relevant sections of the Supplementary Guidance on Subdivision and Redevelopment of Residential Curtilages.

The proposal would not have an adverse impact on the residential amenity of neighbouring properties in relation to unacceptable levels of overlooking or loss of light, and would result in two

properties with an acceptable level of floorspace, served by good quality external amenity space as expected under policies H1 (Residential Areas) and D1 (Quality Placemaking by Design) of the 2017 ALDP; policies H1 (Residential Areas), D1 (Quality Placemaking) and D2 (Amenity) of the 2020 PLDP and Supplementary Guidance on Subdivision and Redevelopment of Residential Curtilages and the Householder Development Guide.

Finally, the proposal would provide sufficient in-curtilage parking spaces and bin storage; nor have an adverse impact on flooding in compliance with policy 13 (Sustainable Transport); T2 (Managing the Transport Impact of Development); R6 (Waste Management Requirements for New Development); NE6 (Flooding, Drainage and Water Quality) of the 2017 ALDP; policies T3 (Parking); R5 (Waste Management Requirements for New Development); and NE4 (Our Water Environment) of the 2020 PLDP.

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) BOUNDARIES

That the development hereby approved shall not take place unless there a detailed scheme of site and plot boundary enclosures for the entire development hereby granted planning permission has been submitted to and approved in writing by the Planning Authority. None of the residential units hereby granted planning permission shall be occupied unless the said scheme has been implemented in its entirety.

Reason: In order to ensure an acceptable level of residential amenity.

(03) PARKING

That the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing No. 610-31/RevE of the plans hereby approved. For the avoidance of doubt, this includes the installation of the EV charging points. Such areas shall not thereafter be used for any other purpose than the parking of cars ancillary to the development hereby granted approval.

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

(04) PHOTOGRAPHIC SURVEY

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

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

(05) OBSCURE GLAZING

That the development hereby approved shall not be brought into use unless the bathroom window on the south facing elevation of the building as shown on drawing 610-32/RevD has been fitted with obscure glazing. Once installed, the obscure glazing shall be permanently retained thereafter and the window shall not be altered in any way without the prior express planning permission of the planning authority

Reason: In the interests of the residential amenity of the adjacent property.

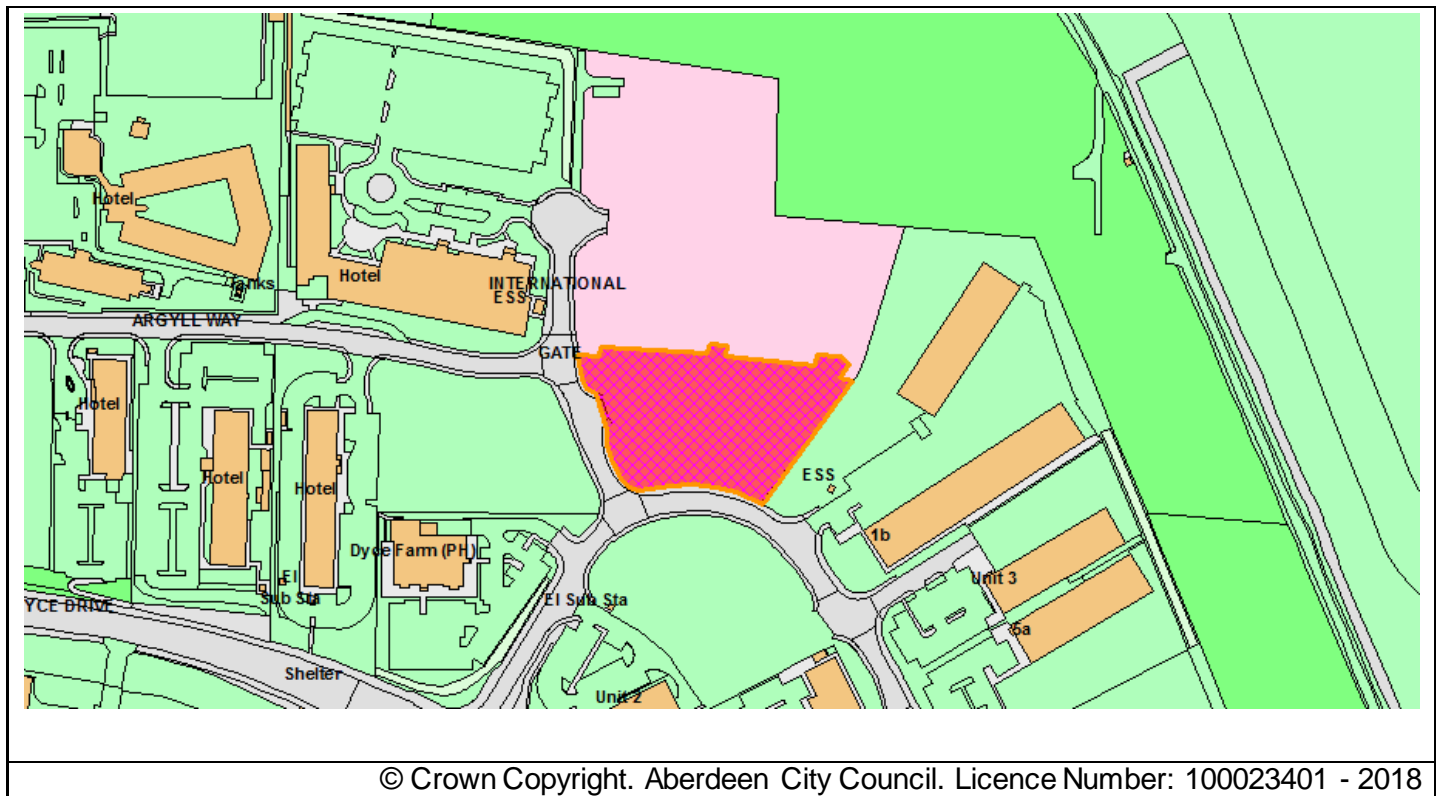
ADVISORY NOTES FOR APPLICANT

None

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|  <p>ABERDEEN CITY COUNCIL</p> | Planning Development Management Committee |
| | Report by Development Management Manager |
| | Committee Date: 9 March 2023 |

| | |
|--------------------------|---|
| Site Address: | Land at International Gate, Dyce, Aberdeen, AB21 0BH |
| Application Description: | Extension of an existing car park with associated external lights and landscaping works |
| Application Ref: | 221436/DPP |
| Application Type | Detailed Planning Permission |
| Application Date: | 1 December 2022 |
| Applicant: | ABZ Development Ltd |
| Ward: | Dyce/Bucksburn/Danestone |
| Community Council: | Dyce And Stoneywood |
| Case Officer: | Matthew Easton |



RECOMMENDATION

Approve Conditionally

APPLICATION BACKGROUND

Site Description

The application relates to an undeveloped plot within ABZ Business Park, Dyce. It extends to 0.62 hectares and comprises rough ground with scrub vegetation. It is located towards the northern end of the business park, to the east of the Crowne Plaza and Holiday Inn Express hotels, with the road known as International Gate separating the site and the hotels.

To the immediate north is the Airparks Express airport car park featuring 462 parking spaces. It is a surface car park, which is accessed from International Gate. There is a pedestrian route between the car park and main airport terminal, which is around a 500m walk door-to-door, largely being via covered walkways.

To the south across International Avenue is a vacant plot and industrial and office buildings, and to the east are industrial units.

Relevant Planning History

An application for detailed planning permission (191456/DPP – referred to as the ‘original application’ in this report) to construct the 462-space car park (now Airpark Express) was refused by officers using delegated powers in May 2020. The reasons for refusal were –

“The initial proposal was for a car park that would be available for use by a range of users, unrelated to any new development. Such a proposal would be a clear conflict with the Transport and Accessibility Supplementary Guidance and therefore in that regard the proposal would not be acceptable in principle.”

The proposal has also been considered on the basis that it could potentially be for airport users only however it is considered that the provision of additional car parking capacity near the airport would hinder the ability to encourage modal shift towards the use of public transport. There is no evidence that there are capacity issues with the existing level of parking available to those using the airport and additional supply is likely to make driving to and parking at the airport more attractive. This would be inconsistent with the aims of Scottish Planning Policy, the Regional Transport Strategy, Local Transport Strategy and Policies T2 (Managing the Transport Impact of Development) and T3 (Sustainable and Active Travel) of the Aberdeen Local Development Plan.”

In October 2020, the decision was subject to a review by the Local Review Body (LRB) where it was overturned unanimously, and planning permission granted. The reasons for the LRB’s decision were –

“Members acknowledged the need to facilitate modal shift generally, but recognised that not all users can access the airport using existing public transport connections, and considered that there remains a need to ensure an adequate supply of on-site parking and choice for travellers. Members were also mindful of the economic benefits of a readily accessible airport to the region.”

It was noted that the proposed site is conveniently located for the airport and, unlike some off-site car parks, would not be dependent on shuttle transfers.

The closure of an existing long-stay airport car park was a relevant factor and members considered that this proposal can ensure an adequate supply is maintained, preventing any

shortage from adversely affecting nearby commercial premises and residential streets due to an overspill of airport parking demand. The Local Review Body also noted the applicants' reference to the growth in public transport use for airport trips in recent years, despite the opening of new airport car parks during that period.

Support was expressed for the incorporation of additional Electric Vehicle charging points as part of the proposal. Members also noted the importance of ensuring appropriate landscaping, details of which may be secured by condition, to provide screening and mitigate the visual impact of the proposal, consistent with policy D1 (Quality Placemaking by Design) of the Aberdeen Local Development Plan.”

The planning permission was implemented with the car park subsequently constructed and opened in July 2022.

APPLICATION DESCRIPTION

Description of Proposal

Detailed planning permission is sought for an extension to the existing car park. It would comprise 162 standard parking spaces which would be integrated with and function as part of the existing car park. The car park surface would be gravel, with a new secondary vehicular access being created onto International Gate, to the south of the existing access. On its outside boundaries, the extended area would be enclosed by a 2m high weld-mesh fence to match the existing car park.

The resultant overall, extended car park would have a total of 648 spaces, which would be divided into 613 standard spaces, 23 disabled spaces and 12 electric vehicle (EV) charging spaces.

Amendments

None.

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=RM61PUBZLWP00>

- Drainage Assessment
- Planning Statement and addendums
- Transport Technical Note

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because the Roads Development Management Team has objected to the application.

CONSULTATIONS

Aberdeen International Airport (Safeguarding Manager) – The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding

criteria unless any planning permission granted is subject to a condition requiring a bird hazard management plan to be agreed and implemented.

ACC - Roads Development Management Team – Object to the proposal.

- The proposal is contrary to Council policies which aim to reduce private vehicular trips and it undermines the viability of alternative sustainable transportation. There are current targets to increase the proportion of passengers accessing the airport by public transport, as such this proposal is contrary to such aspirations.
- Whilst there are some public transport challenges in reaching the airport from different parts of Aberdeenshire, options to reach Aberdeen city centre and then onward travel to the airport do exist. This proposal invites a constant turnover of private vehicles and would increase the attractiveness of using such a mode choice to reach the airport. This does nothing to help promote public transport trips, walking or cycling, and could be to the detriment of existing and future public transport initiatives/aspirations.
- Whilst the car park is within walking distance to the airport terminal and does not rely on a shuttle transfer, which is a benefit to this site, the majority of the journey to the airport is still made by private motor vehicle.
- The applicant has noted this proposal would reduce vehicle miles associated with the airport by reducing drop-off/pick-up trips. However, no figures have been provided to support the idea that the current car park is attracting passengers who would previously have been dropped off. Without a means of discouraging drop off / pick up at the airport (something outwith control of the applicant) it is unclear that providing extra parking alone would reduce drop-off/pick-up trips.
- Policy T2 of the Aberdeen Local Development Plan (ALDP) notes “*new developments must demonstrate that sufficient measures have been taken to minimise traffic generated and to maximise opportunities for sustainable and active travel.*” This proposal is only for private vehicles. Roads officers remain unconvinced that the provision of extra parking in isolation to other measures is a sustainable and realistic means of reducing vehicle trips associated with pick up/drop off at the airport. Additional parking will likely lead to increased vehicle trips.
- Policy T3 of the ALDP notes “*New developments must be accessible by a range of transport modes, with an emphasis on active and sustainable transport, and the internal layout of developments must prioritise walking, cycling and public transport penetration.*” The location of the car park allows the final section of a trip (noted by the applicant as 500m) can be completed by walking. The majority of the trip is however conducted by private motor vehicle.
- Similar themes as above are also in the Policy T3 of the Proposed ALDP which includes “*Proposals for car parking that are not directly related to new developments will not be supported.*” This proposal is for an extension to an existing car park and is not related to any new development.
- Confirmation has been received that another existing long-stay car park (circa 500 spaces), previously being utilised as a COVID-19 test-site, is to re-open as airport parking. With the occupancy rates provided by the applicant being from a period when this other car park was not operational, it is unclear whether there is justifiable demand for the car park extension.

- The traffic impact assessment carried out on behalf of the applicant has shown that the development site as class 4 (business) and class 5 (industrial) (which this site is zoned for) would be expected to produce more vehicle trips than the existing car park site as well as with the extension. Owing to the nature of flight times and the duration of time vehicles spend parked, the traffic impact from the car park and proposed extension would likely be spread out over a longer period than if the site was developed for classes 4 and 5. However, should an application come forward for such uses, measures could be introduced to limit vehicle trips, especially given the site's proximity to Craibstone Park and Ride, the cycle facilities in Dyce, Dyce Train station etc. This proposal, as a car park for private vehicles, has no scope to introduce measures to limit such mode of travel.

Dyce And Stoneywood Community Council – Agree with the applicant that a car park is not an inconsistent land use with respect to Policy B1 (Business and Industrial Land) of the Aberdeen Local Development Plan (2017).

There are tensions with respect to Policy T2 (Managing the Transport Impact of Development), but the Community Council accepts that car use is inevitable in some circumstances and the site is well located for passengers to walk to the main terminal of the airport without the need for a shuttle bus.

The landscaping proposals (Policy D1) are welcomed, and it is hoped that the lighting will be carbon neutral and designed to minimise light pollution.

REPRESENTATIONS

One objection has been received from AGS Airports, the owner and operator of Aberdeen International Airport. In summary the following matters are raised –

1. Passenger and staff surface transport is one of the greatest sources of airport related carbon emissions. Increasing the proportion of people who access the airport by more sustainable modes is vitally important to help reduce carbon emissions and achieve the Scottish Government's statutory net zero objectives. Through the airport masterplan, surface access and carbon management strategies, the airport works with partners to promote more sustainable surface transport choices in a co-ordinated manner.
2. The development of unfettered car parking in isolation from a balanced sustainable transport strategy significantly undermines policy objectives by encouraging unsustainable private vehicle use. In particular, the airport would highlight the Scottish Government Climate Change Plan Update commitment to reduce car kilometres by 20% by 2030.
3. The application has asserted that there is a current under provision of car parking capacity which will be exacerbated by future growth outlined in the airport's 2013 Masterplan, and which this application addresses by providing additional car parking capacity. A 'predict and provide' approach is completely inconsistent with extant policy requirements.
4. The temporary use of the airport's 530 space 'Park and Depart' car park as a COVID-19 Government Testing Centre has ceased and the facility will re-open in 2023.
5. The extension does not fall within the descriptions of business or employment uses allowed by Policy B1 of the Aberdeen Local Development Plan (ALDP) and it does not protect or improve

access to the airport. Beneficial employment or economic impacts have not been identified and a large part of ABZ Business Park site has been developed, leaving the application site as one of the few plots remaining available for employment uses. The proposed use will not enhance the attraction of the area and conflicts with sustainability objectives. The proposed development is therefore contrary to Policy B1 and related Strategic Development Plan provisions.

6. The proposed extension would not accord with the Airport Masterplan and Policy B4 of the ALDP. The masterplan indicates that the airport envisages the majority of future infrastructure growth will be on land already in use by the airport and includes provisions for additional car parking capacity to be achieved in a sustainable manner as part of a co-ordinated approach to surface access. This has been demonstrated previously, through the erection of a car park deck and the 511-space surface car park.
7. The proposed extension would compromise the ability to minimise traffic generated by the airport and makes no contribution to encouraging more sustainable travel choices. No evidence has been provided as to how opportunities for sustainable and active travel have been maximized. It therefore does not accord with policies T2 or T3 of the ALDP.
8. The airport has reviewed the Proposed ALDP (2020) and consider it to be consistent with the relevant policies of the adopted LDP. It is therefore suggested that the proposed development will therefore remain contrary to the Development Plan once the Proposed ALDP is adopted.
9. The proposal is not consistent with Policies 1 (Tackling the Climate and Nature Crises) and 13 (Sustainable Transport) of the revised NPF4.
10. The existing car park has been operating without the Car Park Management Plan required by condition. Furthermore, they have also been operating a vehicle to transport passengers from the car park to airport facilities, despite numerous references in supporting information to the site being accessible by foot and being a more sustainable option than an arrangement that involves a bus transfer. It is not clear if the rudimentary and unsustainable shuttle service is in response to demands from customers during inclement weather or from those with reduced mobility. In any case, the proposed extension is even further away from airport facilities and is likely to exacerbate issues.

MATERIAL CONSIDERATIONS

Legislative Requirements

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

Development Plan

National Planning Framework 4

National Planning Framework 4 (NPF4) is the long-term spatial strategy for Scotland and contains a comprehensive set of national planning policies that form part of the statutory development plan. The relevant provisions of NPF4 that require consideration in terms of this application are –

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 3 (Biodiversity)
- Policy 13 (Sustainable Transport)
- Policy 22 (Flood Risk and Water Management)

Aberdeen Local Development Plan (2017)

Section 16 (1)(a)(ii) of the Town and Country Planning (Scotland) Act 1997 requires that, where there is a current local development plan, a proposed local development plan must be submitted to Scottish Ministers within five years after the date on which the current plan was approved.

The following policies are relevant –

- Policy B1 (Business and Industrial Land)
- Policy B4 (Aberdeen Airport)
- Policy NE6 (Flooding, Drainage and Water Quality)
- Policy T2 (Managing the Transport Impact of Development)
- Policy T3 (Sustainable and Active Travel)

Proposed Aberdeen Local Development Plan (2020)

The Report of Examination on the Proposed Aberdeen Local Development Plan 2020 (PALDP) was received by the Council on 20 September 2022. All the recommendations within the Report have been accepted and the modifications made to the PALDP were agreed by Full Council on 14 December 2022. The PALDP constitutes the Council's settled view as to the content of the final adopted ALDP and is now a material consideration in the determination of planning applications. The exact weight to be given to matters contained in the PALDP (including individual policies) in relation to specific applications will depend on the relevance of these matters to the application under consideration.

The following policies are relevant –

- Policy B1 (Business and Industrial)
- Policy B3 (Airport and Perwinnes Radar)
- Policy NE4 (Our Water Environment)
- Policy T2 (Sustainable Transport)
- Policy T3 (Parking)

Supplementary Guidance and Technical Advice Notes

- Flooding, Drainage and Water Quality Supplementary Guidance
- Landscape Supplementary Guidance
- Transport and Accessibility Supplementary Guidance

Other Material Considerations

- NESTRANS 2040 Regional Transport Strategy
- Local Transport Strategy

Reference is made representations by AGS Airports to the Airport Masterplan, which was published in 2013, however it is the airport's own document and has not been adopted by the Council as supplementary guidance forming part of any Aberdeen Local Development Plan. It therefore carries no weight in terms of planning decision making.

EVALUATION

Principle of Development

Establishment of Car Park Use

The existing car park was established through the decision of the Local Review Body (LRB) in October 2020 to approve the original application (191456/DPP). The reason for the LRB's decision focused on ensuring an adequate supply of on-site parking at the airport for those that do not have access to public transport and that the site was conveniently located in relation to the airport. It was also noted that one of the existing car parks was closed and that it was desirable to ensure ad hoc car parking doesn't occur around the airport. Growth in public transport use for airport trips in recent years, despite the opening of new airport car parks during that period was also noted.

As a decision of the planning authority, the decision by the LRB and the reasons given for approval are material considerations which should be considered alongside other relevant matters in the consideration of the current application. Some of the issues from the consideration of the original application are still valid in the context of the extension, whilst for other matters there has been a change in circumstances. These are discussed below.

Land Use Zoning

The site is within an area zoned as business and industrial land, where Policy B1 (Business and Industrial) of the Aberdeen Local Development Plan (ALDP) applies. The policy states that '*Land zoned for business and industrial uses, including already developed land, shall be retained for Class 4 (Business), Class 5 (General Industrial) and Class 6 (Storage and Distribution) uses and safeguarded from other conflicting development types.*' It goes on to say that '*The expansion of existing concerns and uses within these locations will be permitted in principle.*'

In the original application, the Planning Service considered that whilst an airport car park is not a business or industrial use in terms of the policy, a car park could be consistent with the general purpose of the policy. It is not a sensitive use which could be affected by surrounding industrial uses or noise generated by the airport. It would sit comfortably alongside the existing uses in the area and would be one which it would not be unusual or unreasonable to find such a use within a business park adjacent to an airport.

In terms of the extension, this continues to be the position of the Planning Service. Over and above this, as the car park is now an established existing use, in terms of the land use zoning its expansion is acceptable in principle in terms of Policy B1. Given the small size of the site at 0.62ha, there is no concern with the alternative use of the site impacting on the availability of business and industrial land in the city.

Airport as Key Infrastructure

National Planning Framework 4 (NPF4) explains that '*Scotland's national and international connectivity for people and freight will remain important, for the economic, social and cultural benefits it delivers and for supporting wider Government ambitions on trade, tourism, and business*

development. Airports, ports and rail links will provide vital connections within Scotland and beyond which will be crucial to building on a sustainable recovery whilst helping to decarbonise transport through low and zero emissions technologies.'

Both the ALDP and Proposed ALDP identify the airport as *'a strategic transport hub which is vital to the success of the North East economy. It directly supports thousands of jobs and helps to ensure that Aberdeen remains a competitive, attractive and well-connected location for business.'* NPF4 and the ALDP therefore lend support towards development which helps ensure that important infrastructure, such as the airport, can operate effectively. It is essential that the airport is accessible from within the catchment that it serves and supported by a variety of transport options.

More specifically, through the decision of the LRB, the planning authority has taken the position that the car park in this location would help to contribute to the effective operation of the airport. Notwithstanding, as the proposal is now to further increase the level of parking, the proposals must be considered against sustainable transport policies to determine whether this would be appropriate.

Sustainable Transport

Policy Context

The NESTRANS 2040 Regional Transport Strategy (RTS) published in November 2021 has at its core, a commitment to reducing the dependence on the use of the private car, and especially single occupancy car trips. The RTS also identifies as a key consideration the role of an Airport Surface Access Strategy. The opening of the Aberdeen Western Peripheral Route (AWPR) and upgraded road network in and around Dyce have made a significant contribution to improving the attractiveness of the Airport and have increased the catchment within an hour's drivetime to over 500,000 people. Public transport access, however, is noted as being less attractive. Despite rail improvements and new bus services directly to the terminal, just 12% of passengers currently arrive by public transport.

NESTRANS indicates that it wishes to work with the airport and the operators of TECA/P&J Live, bus operators, rail operators and others to produce an Airport Surface Access Strategy and develop a range of options for airport users. The RTS identifies that this should include targets for public transport usage for trips to / from the airport and include consideration of innovative or nonconventional links, along with options for rail enhancements, connections to the rail network and parking controls to encourage more sustainable travel and ensure that options are available for travellers coming from across the region. A Surface Access Strategy would also be expected to look at the role of and provision for taxis, pedestrians and cyclists, as well as cars, car sharing opportunities and public transport in getting both passengers and staff to the sites, bearing in mind its hours of operation.

Similarly, the central theme of the Local Transport Strategy (LTS), is to promote sustainable transport and increase the amount of active travel within Aberdeen to help to reduce congestion and improve the environment. Both the RTS and LTS, see increasing the use of public transport usage to and from the airport as desirable.

Policy 13 (Sustainable Transport) of NPF4 seeks to *"encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably"*.

Policy T2 (Managing the Transport Impact of Development) of the ALDP states that *“commensurate with the scale and anticipated impact, new developments must demonstrate that sufficient measures have been taken to minimise traffic generated and to maximise opportunities for sustainable and active travel”*.

Policy T3 (Sustainable and Active Travel) of the ALDP, although focusing on the development of new communities and developments, follows a similar theme, indicating that opportunities for active and sustainable travel (particularly walking, cycling and public transport use) increase the range of transport options available to users, offering a cheaper alternative than car-based travel. Such opportunities also support the development of sustainable communities by reducing the need to travel by car, promote physical and mental health and wellbeing, contribute towards tackling environmental problems, and contribute to economic development by reducing congestion and ensuring road space is prioritised for essential movements.

The Transport and Accessibility Supplementary Guidance (SG) states that the over-provision of parking spaces can be a wasteful use of land, lead to increased land prices, reduce building densities and increase distances people must walk between adjacent land uses. Overprovision of parking can also reduce travel by alternative forms of transport through the promotion of car use, resulting in the worsening of congestion and air quality problems. There will be a presumption against the creation of freestanding publicly accessible car parks (aside from those required for office, residential or Park and Ride use), especially in city centre locations, as this would undermine efforts to encourage the use of alternative forms of transport. There is no parking standard which applies to the airport, with parking provision for it and similar developments being considered on their merits.

In considering the original application to establish the car park, the Planning Service found that increasing car parking capacity at the airport was at odds with national, regional and local transport policy as it in effect encourages passengers to drive to the airport. As extra supply is made available, to attract customers from one another, operators will typically reduce their prices to make their offer more attractive than their competitors. This reduced cost could make driving to and parking at the airport a more attractive option for passengers compared to other more sustainable options, contrary to the transport policies identified above. It was accepted that alternatively, there was an argument that in theory additional car parking could divert passengers from being dropped off at the airport and therefore reduce the number of trips to the airport (two trips for someone parking, compared to four trips for someone being dropped off on departure and collected on arrival). It was considered no evidence was provided that there is any lack of capacity in existing long stay car parks, which may be encouraging passengers towards being dropped off rather than parking. The availability of public transport options was also considered, with the Planning Service concluding that at the time the proposal could not be supported.

Existing Situation – Overall Parking Provision

There are several other sites which offer airport parking, are about to become active or which could increase capacity if reactivated.

- Airport Long Stay Car Park at Montrose Road has 1,007 spaces and is and is understood to operated directly by the Aberdeen International Airport.
- Airport Short Stay Car Park opposite the main terminal has 1,247 spaces and is understood to operated directly by the airport.
- After being used temporarily as a COVID-19 test centre during since 2020, the Aberdeen Airport Park and Depart car park at Wellheads Drive, with spaces for 530 vehicles, which

according to its website re-opens on 1 April 2023. It is understood to be operated by APCOA on behalf of the of the airport.

- The former Aberdeen Air Park, located at Cairn Industrial Park, on the edge of Kirkhill Industrial Estate, had capacity for 1,300 vehicles and closed in March 2020 after operating for 17 years. Towards the end of 2022 the owner advised that that facility would be re-opening imminently, with initial capacity for 750 vehicles but the ability to increase that to 1,300 if demand is sufficient. However, it does not yet appear to have re-opened.
- Several airport hotels and some in Dyce provide 'park and fly' offers where hotel guests can leave their car at the hotel car park whilst away, increasing long stay parking capacity beyond that provided by the standalone car parks.

Existing Situation – Existing Car Park

With the benefit of the car park now existing and having been in operation since July 2022, the applicant has been able to provide information on customer usage of car park thus far, which understandably was not available at the time of the original application. The occupancy levels and average length of stay since opening during July 2022 are shown in the table below, but in summary it shows an average occupancy level of 87% over the eight months the car park has been open and an average duration of stay of seven days.

| | Jul (part) | Aug | Sep | Oct | Nov | Dec | Jan | Feb |
|----------------------------|------------|-----|-----|-----|-----|-----|-----|-----|
| Occupancy | 73% | 82% | 96% | 92% | 83% | 90% | 95% | 90% |
| Average Stay (days) | 7.9 | 7.4 | 7.4 | 7.1 | 6.2 | 7.9 | 6.1 | 6.1 |

Separate information has also been provided by the applicant as to where customers using the car park have originated. This shows that 76% of those using the car park are from outwith Aberdeen City (including Westhill). This can be broken down into 46% from Aberdeenshire and 30% beyond. Only 24% of those using the car park are from Aberdeen City or Westhill. It is therefore necessary to consider what the alternatives for reaching the airport are for those whose journey will originate from outwith the city.

Existing Situation – Public Transport

Since the previous application was determined in May 2020, circumstances in terms of public transport provision to the airport have changed. The 747 and 757 services, introduced in 2019, provided a direct connection to the airport from Ellon, Newtonhill, Portlethen Stonehaven and Montrose by utilising the newly opened AWPR. However, the 757 service ended in August 2019 and the 747 service ended in 2021. The X27 service, which provided a link between the city centre, airport and Dyce railway station, ended in December 2022.

The Jet 727 route, which provides a frequent service into the city centre and areas between it and the airport, is now the only public bus service to serve the airport. It operates on a frequent basis throughout the day and night and at present the first bus leaves Union Square at 0300 and the last bus arrives back from the airport at 0039. The first fixed wing passenger flights typically begin departing at 0600, with the last flights landing around 2200 to 2230. Helicopter flights are restricted to 0600 and 2230 by a planning legal agreement, whereas there is no planning restriction on fixed wing flights. The 727 route effectively provides a continuous service during airport opening hours.

It is acknowledged that there are programmes in place to enhance connectivity across the city and beyond, including the prospect of a new rail spur to the airport, the desire by NESTRANS to work with partners to produce an Airport Surface Access Strategy and the emerging Aberdeen Rapid Transit (ART) project. Notwithstanding, planning applications require to consider the circumstances at the time a decision is made. Taking each of the programmes mentioned into account, a new rail spur from the existing rail line into TECA and the airport has been considered but found to be impractical due to high capital costs, the need for land purchase, property demolitions and impacts on the existing rail line between Aberdeen and Inverness. The Airport Surface Access Strategy is still to be produced and the ART project is at the visioning stage, with the system expected to begin operating in 2030. Whilst expected future changes in circumstances can be taken into account, of the programmes which are progressing, they are at too early a stage to be considered as significant material considerations in the determination of this application.

Consideration of Transport Policies

Taking the above into account, it would appear the majority of those using the car park originate from areas of the north east where there is no direct public transport connection to the airport. Whilst it is accepted that it would be possible to take public transport into the city centre from many of the larger settlements in Aberdeenshire and further afield, to then get the 727 service to the airport, this could involve using several different bus services (possibly passing the airport area to access the city centre, then changing buses to travel back to Dyce) and take a considerable amount of time, often more than double that it would take by car. Taking account that passengers would normally have luggage and potentially children accompanying them if on a family holiday and potentially catching an early morning flight or returning in the evening, it is considered that for a vast majority of people who live outwith the city, the option of using public transport to reach the airport is not going to be an attractive one or indeed in many cases even possible. It is therefore desirable to ensure that there is sufficient parking associated with the airport so that those who do drive there have a range of options available.

That said, it is accepted that provision of additional parking creates tension with the suite of regional and local transport related policies which seek to reduce car usage. Policy 13 (Sustainable Transport) of NPF4 seeks to *'encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably'*. As outlined above, and in the context of the priorities that Policy 13 advocates, for many traveling to the airport, the public transport options are limited, whereas walking, wheeling or cycling will not be viable or suitable for the majority of those using the airport to catch a flight due to the distances involved or accompanying luggage. The emphasis on using these modes of transport for *'everyday travel'* is also important. Whilst offshore workers and businesses passengers may use the airport fairly regularly, most passengers would be using it far less regularly and therefore travel there their usage could not be described as everyday travel.

Additionally, of relevance to this proposal is part (d) of Policy 13 which indicates that *'development proposals for significant travel generating uses will not be supported in locations which would increase reliance on the private car, taking into account the specific characteristics of the area'*. Whilst it's the airport that is the significant travel generating use, rather than the car park itself, the principles of the policy which seek to reduce reliance on the private car are still relevant. Of note however, is that the *'specific characteristics of the area'* need to be taken into account when considering a proposal. In this case, the airport, in terms of how it is accessed, cannot be treated the same as a typical development, such as a workplace, retail or leisure development. Likewise, compared to other uses, the airport has a very large catchment area, with passengers traveling from across the north east and beyond to use it. It also operates very early in the morning and late at night, when there is less availability of public transport options outwith Aberdeen. Therefore, for

a large number of passengers the most viable option will be using the private car. It is considered that the specific characteristics of the airport is a significant material consideration which lends weight to departing from the normal approach taken by transport policies.

Policy T2 (Managing the Transport Impact of Development) of the ALDP requires it to *'be demonstrated that sufficient measures have been taken to minimise traffic generated and to maximise opportunities for sustainable and active travel'*. The policies caveat the requirement by indicating that it must be demonstrated only insofar as it is *'commensurate with the scale and anticipated impact of the development'*. In this case it is considered that the provision of the additional car parking has the potential to reduce the instances of drop-off/pickup trips which are the least sustainable mode of transport to the airport. The Roads Development Management Team note that there is no guarantee that the extra parking would achieve this, however it is anticipated that increased capacity could enhance competition between car park operators which could then make parking whilst away (two car trips) more attractive than being dropped off and picked up (four trips). The airports charging scheme for those wishing to drop-off, currently set at a minimum of £5, should also make dropping off an increasingly less attractive option, although it is acknowledged that anecdotally passengers will often be dropped off at points outwith the charging zone to avoid paying the fee.

Whilst it has been established that there is legitimate demand for parking at the airport, as for many there will be no other viable option, it has not been demonstrated that there is a deficiency in overall airport parking capacity. Indeed, it is difficult to know if there is an undersupply capacity as it is hard to determine what that capacity should be; data on current overall demand is not available; and other than for the car park in question, levels of occupancy (as noted above) are not available. Notwithstanding, the applicant has demonstrated that their car park is well used, and demand is high, with an average occupancy of 87% and as high as 96% since opening.

In terms of maximising opportunities for sustainable and active travel, the location of the site would be convenient in terms of its proximity to the airport main terminal, with a 500m walk door-to-door, largely being via existing covered walkways, which takes around 5-6 minutes. Compared to the other airport car parks, it is in a more convenient location, with the long-stay car park at Montrose Road being around 650m walk away and the route being more convoluted, whilst the Park and Depart at Wellheads Drive is 2.5km away. The close proximity of the car park to the airport terminal and ability to walk between the two locations is also acknowledged and in terms of Policy T2 contributes somewhat (compared to the other car parks) to the aim of maximising opportunities for sustainable and active travel during the part of the journey between the car park and airport. Notwithstanding, as mentioned in the original application, there is the potential that this positive aspect of the location actually encourages people to drive to the airport due to the convenience, therefore the location close to the terminal cannot be seen as an entirely positive aspect of the proposal. However, given this application is for an extension, rather than establishing a new car park, the weight attached to this aspect of the matter is significantly less than in the original application. Related to this, AGS Airports in its representation does indicate that the applicant provides a shuttle bus service at the existing car park, however the applicant has advised that this is not the case, and this appears to be confirmed by the operator's website. Nonetheless, the car park is most readily accessible of the airport car parks and can be reached by a short walk from the terminal.

In summary, whilst there would be tension with local, regional and national policies aimed at reducing car usage, as is highlighted by the Road Development Management Team and AGS Airports, the airport is an exceptional case that requires to be treated differently from normal developments, which is something which national policy and to a lesser degree local policy recognises in certain circumstances will need to occur. It has been determined that for those living in a large part of the north east or beyond, travelling to the airport by public transport will not

be a viable or realistic option. It is difficult to determine appropriate levels of parking capacity or to have an overall understanding of airport parking demand through a single planning application, however given the need to ensure that passengers from across the north east have the ability to access the airport, and given the small increase in parking provision which this application would provide, it is considered that at this point in time and on balance, the proposal should be supported. A condition is proposed to ensure that the car park is used by passengers at the airport rather than for general use.

Traffic

The submitted transport assessment expects that vehicle arrivals and departures to be spread throughout the day rather than being focused on AM and PM peak hours typical of a business park, the use that the site was originally consented for.

The resulting peak hour vehicle trips is therefore expected to be less than what would be generated by business use. The resulting traffic impact on the wider road network during the AM and PM peak periods is therefore expected to be less than what would be expected from any business use development that could be developed on the site under the existing planning consent. No improvements are therefore required to the road network.

Electric Vehicle Charging

Twelve active electric vehicle charging (EV) spaces are located within the existing car park, with no further spaces proposed as part of the extension. The policy requirement for the extended car park is six active and six passive spaces and therefore twelve active spaces would exceed the requirement. To ensure efficient use of the EV spaces, customers wishing to have their car charged, must leave the keys with car park staff so that once charging is complete, staff can move the cars to a regular parking space to free-up the charging space for any other electric vehicles. Theoretically, the twelve EV spaces have the ability to each charge eight cars from full to empty per day, or 96 cars overall. In reality the capacity will be significantly higher as for example few cars will arrive with fully depleted batteries and some vehicles will be hybrid with smaller batteries which take a shorter time to charge. The EV charging provision is considered acceptable.

Drainage

Policy 22 (Flood Risk and Water Management) of NPF4 seeks to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding.

Policy NE6 (Flooding, Drainage and Water Quality) of the ALDP requires surface water proposals to be the most appropriate available in terms of sustainable urban drainage systems (SUDS) and avoid flooding and pollution both during and after construction.

It is proposed that surface water drainage for the parking area would drain through porous hardcore/gravel and then disperse into the ground. There are no facilities within the car park extension that would require a foul drainage connection and no identified risk of flooding.

The drainage proposals are considered acceptable and would provide the necessary treatment of surface water in accordance with Policy 22 and Policy NE6.

Climate Change and Nature Crises and Biodiversity

Policy 1 of NPF4 requires planning authorities when considering all development proposals to give significant weight to encouraging, promoting and facilitating development that addresses the global climate emergency and nature crisis.

Similarly, Policy 2 of NPF4 encourages, promotes and facilitates development that minimises emissions and adapts to the current and future impacts of climate change. Of more relevance to this proposal is the requirement that development proposals must be sited and designed to adapt to current and future risks from climate change.

Whilst there is an inherent tension between the provision of infrastructure for the private car and addressing climate change and nature crises, as explained above it is considered that that given the regional catchment of the airport and unique situation in terms of surface access to it, the provision of the car park extension is acceptable. The wider issue of demand for air travel which has a significant impact on climate change is considered beyond the remit of determining this application.

In terms of the design of the development, as considered in the Drainage section of the report, the proposal would have regard to climate change through dealing with surface water on site via a SUDS feature. The site is also not known to be at risk of flooding and the development would not increase the risk of flooding to the site or others. The planting of trees would help expand tree cover in the city and increase the capacity to capture and store carbon.

In terms of the nature crisis, proposed tree and landscaping planting around the site perimeter areas, would contribute to enhancing biodiversity, as at present the site has no vegetation. These aspects also align with Policy 3 of NPF4, which seeks to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.

External Lighting

Eight new 8m high lighting columns would be installed throughout the car park extension. Each would be fitted with LED luminaires, design to minimise any light spillage.

Aviation Safeguarding

The site lies within the Aberdeen International Airport safeguarded area and Policy B4 (Aberdeen Airport) of the ALDP requires that within safeguarded areas development not compromise the safe operation of the airport. The airport has been consulted and confirm there would be no objection to the development proceeding, subject to a condition requiring the approval and implementation of a bird hazard management plan.

The site is also within the NATS Perwinnes Radar safeguarded area but does not exceed the height threshold for triggering a consultation.

Proposed Aberdeen Local Development Plan

The Report of Examination does not affect policies in a manner that is relevant to this application. The relevant PALDP policies substantively reiterate those in the adopted ALDP and therefore the proposal is acceptable in terms of both plans for the reasons previously given.

RECOMMENDATION

Approve Conditionally

REASON FOR RECOMMENDATION

Whilst an airport car park is not a business or industrial use in terms of Policy B1 (Business and Industrial Land), a car park could be consistent with the general purpose of the policy. It would sit comfortably alongside the existing uses in the area and would be one which it would not be unusual or unreasonable to find such a use within a business park adjacent to an airport.

Whilst there would be tension with the Local Transport Strategy, NESTRANS 2040 Regional Transport Strategy and national policies aimed at reducing car usage, as is highlighted by the Road Development Management Team and AGS Airports, Aberdeen International Airport is an individual, exceptional case that requires to be treated differently from normal developments, which is something which National Planning Framework 4 and to a lesser degree the Local Development Plan recognises in certain circumstances. It has been determined that for those living in a large part of the north east or beyond, travelling to the airport by public transport will not be a viable or realistic option. Given the need to ensure that passengers from across the north east have the ability to conveniently access the airport, and given the small increase in parking provision which this application would provide as an extension to an existing facility, it is considered that at this point in time and on balance, the proposal should be supported despite the tension with Policy T2 (Managing the Transport Impact of Development) and Policy T3 (Sustainable and Active Travel) of the Aberdeen Local Development Plan (ALDP).

Other technical matters relating to traffic, aviation safeguarding drainage are considered to be acceptable in relation to Policies B4 (Aberdeen Airport) and NE6 (Flooding, Drainage and Water Quality). Sufficient regard has been had to policies within National Planning Framework related to the Climate and Nature Crises (Policy 1), Climate Mitigation and Adaptation (Policy 2) and biodiversity (Policy 3).

The relevant Proposed ALDP policies substantively reiterate those in the adopted ALDP and therefore the proposal is acceptable in terms of both plans for the reasons previously given.

In terms of the nature crisis, proposed tree and landscaping planting, although minimal, would contribute to enhancing biodiversity, as at present the site has no vegetation. These aspects also align with Policy 3 of NPF4, which seeks to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.

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) BIRD HAZARD MANAGEMENT PLAN

No development 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 –

- Earthworks, soil stripping and excavation works.
- Monitoring of any standing water within the site whether temporary or permanent.

Thereafter, 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 development. 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 – to minimise the development's attractiveness to birds which could endanger the safe movement of aircraft and the operation of Aberdeen International Airport.

(03) LANDSCAPING

No development shall take place unless a scheme of landscaping for the site has been submitted to and approved in writing by the planning authority. The scheme shall include the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting.

Thereafter, all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of five 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.

Reason – to satisfactorily integrate the development into the surrounding area and enhance biodiversity.

(04) DRAINAGE

The car park shall not be brought into operational use unless all drainage works detailed in the Drainage Assessment (ref: 151781 DA01) 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 – to safeguard water qualities in the adjacent watercourse and to ensure that the proposed development can be adequately drained.

(05) EXTERNAL LIGHTING

The car park shall not be brought into operational use unless all external lighting detailed in the drawing WWL-XX-XX-PL-U96002 (Rev. P03) by Wallace Whittle, 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 – to ensure the site is adequately lit.

(06) CAR PARK USEAGE

The car park hereby approved shall be used only for the parking of vehicles belonging to passengers taking flights to and from Aberdeen International Airport and any ancillary activity.

Reason – to ensure that the car park is not used as a general parking facility which would undermine efforts to encourage the use of more sustainable modes of transport within Aberdeen.

ADVISORY NOTES FOR APPLICANT

(01) SAFEGUARDING OF ABERDEEN INTERNATIONAL AIRPORT (CRANES)

Attention is drawn to the requirement within the British Standard Code of Practice for the Safe Use of Cranes (BS7121), specifically section 9.9.3 (Crane Control in the Vicinity of Aerodromes) which requires the responsible person to consult the aerodrome manager for permission to work if a crane is to be used within 6km of an aerodrome and it's height would exceed 10m or that of surrounding trees and structures.

Use of cranes, or other tall construction equipment must be notified to Aberdeen International Airport Safeguarding Manager (abzsafeguard@aiairport.com / 01224 725756) at least one month prior to use. Failure to do so may result in any responsible person being guilty of an offence under Article 137 (Endangering Safety of Aircraft) of the Air Navigation Order (CAP 393) which states that a person must not recklessly or negligently act in a manner likely to endanger an aircraft.

(02) SAFEGUARDING OF ABERDEEN INTERNATIONAL AIRPORT (LIGHTING)

Developers and applicants are advised to ensure that all permanent lighting, construction lighting, or illuminated signage, within the development site must be of a type which does not cause spillage of light above the horizontal, or include strobe, laser or flashing light.

Failure to do so may result in any responsible person being guilty of an offence under Article 135 (Dangerous Lights) of the Air Navigation Order (CAP 393) which states that a person must not exhibit any light which (i) by reason of its glare is liable to endanger aircraft taking off from or landing at an aerodrome or (ii) by reason of its liability to be mistaken for an aeronautical ground light is liable to endanger aircraft.

Further information can be obtained from Aberdeen International Airport Safeguarding Manager (abzsafeguard@aiairport.com / 01224 725756).

ABERDEEN CITY COUNCIL

| | |
|---------------------------|---|
| COMMITTEE | Planning Development Management Committee |
| DATE | 9 March 2023 |
| EXEMPT | No |
| CONFIDENTIAL | No |
| REPORT TITLE | Review of the constitution and operation of the Local Review Body |
| REPORT NUMBER | PLA/23/079 |
| DIRECTOR | Gale Beattie |
| CHIEF OFFICER | David Dunne |
| REPORT AUTHOR | Daniel Lewis |
| TERMS OF REFERENCE | General - 8.7 |

1. PURPOSE OF REPORT

- 1.1 The report seeks approval of a recommendation to change the constitution of the Local Review Body (LRB) following an instruction given at the Planning Development Management Committee (PDMC) of 12 January 2023.

2. RECOMMENDATION

That the Committee: -

- 2.1 Note the options presented in the report in relation to the constitution of the LRB;
- 2.2 Approve Option 2 as the preferred option for the constitution of the LRB; and
- 2.3 Refer the proposed changes to the constitution of the Local Review Body (LRB) outlined in Option 2 of this report to the Full Council meeting of 26 April 2023 for formal adoption.

3. CURRENT SITUATION

- 3.1 The Planning Development Management Committee (PDMC) of 12 January 2023 decided to adopt a motion by Councillor Boulton;

“That the Committee request that the Chief Officer – Strategic Place Planning, in consultation with the Interim Chief Officer – Governance, submit a report to this Committee in two cycles, which reviews the constitution and operation of the Local Review Body to include all matters”..

- 3.2 Officers from the Legal, Committee Services and Development Management Teams have carried out a review of the constitution and operation of the LRB based on the experience and running of the LRB since its inception in 2009. A benchmarking exercise of the operation of the LRBs of 14 other Scottish

Councils has also been undertaken. Following this exercise, officers have made a recommendation on proposed changes to the constitution and operation of the LRB as outlined in Option 2 of this report.

- 3.3 In order to assist Members in their decision this report outlines three main options for the future constitution/operation of the LRB, starting with the current situation (status quo), and including officers' preferred option (Option 2). The report outlines the main pros and cons associated with each option. The disadvantages of the way that the LRB is currently constituted and operated, and the ways this would be addressed by adoption of the recommended option, are identified in the options appraisal.
- 3.4 Members should be aware that there are various other combinations of constitution and process that could be introduced but the three options chosen are considered to identify the pros and cons of most potential changes to help inform decision making on other permutations that Members might opt for. Discussion of another possible change that has been suggested and a summary of the benchmarking exercise follows the options appraisal below.
- 3.5 Any decision made by the Committee on the constitution of the LRB will be required to be referred to Full Council for final approval given the nature of the changes being proposed.

3.6 **OPTION 1 - CURRENT SITUATION (STATUS QUO)**

- Membership of the Local Review Body is drawn from all Council Members.
- Individual meetings consist of trained Members who have volunteered to participate on an ad hoc basis.
- Quorum is set at 3 Members, however where possible the panel consists of 5 Members.
- A Member cannot take part in decision making on any application in the Ward that they represent.
- LRB to be chaired by the Convenor of PDMC (or Vice Convenor if Convenor not available) or another member if they are both unavailable.

Pros

- *There is a larger pool of all trained Council Members as potential Members of any LRB meeting, sharing the burden.*
- *This fact combined with a Membership of just 3 might be thought to make it easier to recruit enough Members to hold an LRB.*
- *Not allowing ward Members to consider applications in their ward eliminates any perception of bias in decision making that might occur - especially because that ward member would otherwise constitute a third of the total LRB membership. This ensures the fairness and transparency of the decision making.*

Cons

- *In practice making attendance voluntary and setting quorum at 3 means that there are never more than 3 Members on the LRB and attendance is often by the same Members which reduces the democracy of decision making. Whilst*

the aim has been for five Members to hear the review, the reality is that it is very rare indeed for more than three Members to volunteer for a panel.

- *Voluntary attendance also means that the Committee Clerk is often struggling to recruit enough Members to hold an LRB increasing the administrative burden.*
- *Since the pool is drawn from all trained Council Members most do not have regular experience of considering planning applications and it is onerous on officers and Members to try and ensure training is up to date for all Council Members. Members are likely to lack recent decision-making experience and training which are both very important when assessing the merits of applications “de novo” and to ensure well considered decision making.*

3.7 OPTION 2 - RECOMMENDED OPTION

- *Membership of the Local Review Body is drawn exclusively from PDMC Members on a rota basis, and Members have the dates set in their diaries.*
- *LRB Membership at any specific meeting is set at 7 Members and quorum at 5 Members.*
- *A local ward Member can take part in decision making at the LRB when it is considering an application in the ward that Member represents; but that this is restricted to no more than one such member for that ward.*
- *Any substitutes to be exclusively drawn from PDMC Members and must be notified the Committee Clerk as a far as possible in advance of the meeting so that there is time to ensure that this would not result in two members in the same ward as an application on the LRB.*
- *LRB to be chaired by the Convenor of the PDMC, or Vice Convenor or another member if they are both unavailable.*

Pros

- *Restricting LRB Membership to PDMC Members means that it will be easier to ensure that all LRB Members are properly and regularly trained, and that Members will have recent experience of dealing with a wide range of planning applications which is very important when assessing the merits of applications “de novo”; thus ensuring well considered decision-making.*
- *Increasing quorum means that a local ward member can participate whilst not constituting a large proportion of the LRB Membership; thus ensuring fairness, transparency and balanced decision-making and reducing the perception of any introduction of bias.*
- *Introducing a rota ensures that there will be sufficient Members at any meeting to hold any LRB, reduce the bureaucratic burden on the clerk and share the responsibility of attendance out across all PDMC Members. Substitutes would still be allowed.*

Cons

- *All PDMC Members would have to make some time to attend LRBs but this would be shared evenly. LRBs are scheduled approximately once every 4 weeks, with the result that Members would only have to attend once every 8 weeks, meaning that the burden will not be onerous.*

3.8 **OPTION 3 - AS OPTION 2 BUT INCORPORATES ALL TRAINED MEMBERS.**

Pros

- *There is a large pool of all Council Members as potential Members of any LRB meeting, sharing the burden.*
- *Increasing quorum enables ward member participation whilst ensuring fairness and transparency and balanced decision making – reducing the perception of any introduction of bias.*
- *Introducing a rota ensures that there will be sufficient Members to hold any LRB, reduce the bureaucratic burden on the clerk and share the responsibility of attendance out across all Council Members.*

Cons

- *To make this work all Council Members would have to be willing to take part and make some time to attend LRBs which could be very difficult to achieve in practice.*
- *Most LRB Members would not have regular experience of considering planning applications and it would be far more onerous on officers and Members to ensure training is up to date. Recent decision-making experience and training are both important when assessing the merits of applications “de novo”; to ensure well considered decision making and this would not be the case with this option.*

3.9 Other potential changes

The option of holding LRBs after (or on the same day as) PDMC was considered and is not recommended for the following reasons.

- This would make the Thursday session (or sessions) of PDMC/LRB very lengthy on occasions (especially now that speakers are allowed) and fatigue is a consideration. This is especially the case as LRB require a high level of scrutiny and a significantly different mindset from PDMC. This is because Members are making a decision from scratch, taking into account not just the Committee report but also the Notice of Review and all the associated documents which can be voluminous.
-
- It will make it difficult if not impossible to fit in the Pre-Application Forum in the afternoon and make it less likely that members attend these – meaning that this would have to be moved to another day with knock on effect on Members diaries.

The benchmarking that was carried out found that North Lanarkshire decided to separate their LRB from the end of their Planning Committee recently for very much the same reasons outlined above.

3.10 Benchmarking

The average membership of the 14 LRBs that were benchmarked is 8 members with a small majority not allowing local ward member to participate in a case in

their ward. Only 2 of the benchmarked LRBs have just 3 members and neither of these allow local ward member participation. The LRBs have one of three operating models:-

- (i) all members of the planning committee,
- (ii) a rota of members drawn from the planning committee or
- (iii) a separate independent appointed LRB committee.

None of these Councils operate with Aberdeen City Council's model of allowing participation of members from outside the planning (or dedicated LRB) Committee and none operate on a volunteer attendance basis (although Glasgow City Council used to do so but moved away from this model for the same reasons for recommending doing this outline earlier this report).

4. FINANCIAL IMPLICATIONS

4.1 There are no direct financial implications arising from the recommendations of this report.

5. LEGAL IMPLICATIONS

5.1 There are no direct legal implications associated with this report. The LRB is governed by The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013 and the recommendations in this report will ensure the LRB continues to operate efficiently and in accordance with the legislation.

6. ENVIRONMENTAL IMPLICATIONS

6.1 There are no direct environmental implications arising from the recommendations of this report.

7. RISK

7.1 The assessment of risk contained within the table below is considered consistent with the Council's Risk Appetite Statement

| Category | Risks | Primary Controls/Control Actions to achieve Target Risk Level | *Target Risk Level (L, M or H) *taking into account controls/control actions | *Does Target Risk Level Match Appetite Set? |
|-----------------------|----------------|---|---|---|
| Strategic Risk | No significant | | | |

| | | | | |
|------------------------------|---|---|---|------------|
| | risks identified. | | | |
| Compliance | The LRB constitution must comply with the relevant legislation. | The options in this report are drafted to comply with the relevant legislation. | L | Yes |
| Operational | An inefficient LRB process can negatively affect a customer's experience. | The options in this report have been drafted to ensure the efficient operation of the LRB In addition, any members involved in the LRB will be fully trained in advance of participation | L | Yes |
| Financial | No significant risks identified. | | | |
| Reputational | An inefficient LRB process can negatively affect the reputation of the Council and undermine planning decision making | The options in this report have been drafted to ensure the efficient operation of the LRB. In addition, any members involved in the LRB will be fully trained in advance of participation | L | Yes |
| Environment / Climate | No significant risks identified. | | | |

8. OUTCOMES

The proposals in this report have no impact on the Council Delivery Plan.

| Impact of Report | |
|--|---|
| Aberdeen City Council Policy Statement | The proposals in this report have no impact on the Council Delivery Plan. |
| <u>Working in Partnership for Aberdeen</u> | |
| Aberdeen City Local Outcome Improvement Plan 2016-26 <i>The revised LOIP 2016-2026 was approved by CPA Board on 7 July 2021, please ensure you are referring to the current document - link above.</i> | |
| Prosperous Economy Stretch Outcomes | N/A |
| Prosperous People Stretch Outcomes | N/A |
| Prosperous Place Stretch Outcomes | N/A |
| Regional and City Strategies | N/A |

9. IMPACT ASSESSMENTS

| Assessment | Outcome |
|--|-------------------------------------|
| Integrated Impact Assessment | Full impact assessment not required |
| Data Protection Impact Assessment | Not required |
| Other | |

10. BACKGROUND PAPERS

- 10.1 [Planning Committee – 19 March 2009](#) – report on the arrangements of Local Review Body – local members not permitted to sit on a case.

11. APPENDICES

12. REPORT AUTHOR CONTACT DETAILS

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