

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 18 April 2024. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor McRae, Convener; Councillor Greig, Vice Convener; and Councillors Alphonse, Boulton, Clark, Copland, Farquhar, Lawrence and Macdonald.

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

Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.

MINUTE OF MEETING OF THE PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 14 MARCH 2024

1. The Committee had before it the minute of the previous meeting of 14 March 2024, for approval.

The Committee resolved:-

to approve the minute as a correct record.

COMMITTEE PLANNER

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

The Committee resolved:-

to note the committee business planner.

PLANNING APPEAL UPDATE

3. The Committee had before it a report by the Chief Officer – Strategic Place Planning, which provided an update in relation to various planning appeals.

The report informed members about planning appeals and notifications in relation to Aberdeen City Council decisions that the Scottish Government's Division for Planning and Environmental Appeals (DPEA) had received or decided since the last Planning Development Management Committee meeting and also listed appeals that were still pending.

The Committee resolved:-

to note the information.

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31 ST ANDREWS STREET - 240097

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 a window and door to the north elevation (amendment to previous approval (retrospective) at 31 St Andrews Street Aberdeen, be approved unconditionally.

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

The Committee then heard from Boyd Wright, who objected to the proposed application.

The Committee resolved:-

to seek a revised management plan from the developer and to approve the application with a condition added to read:-

(01) REAR EXTERNAL DOOR

That the door hereby approved on the rear elevation as shown on drawing ref. 4035[2] 101 shall not be used other than for emergency purposes and not for any other means of access.

Reason: to ensure the amenity for neighbouring properties is protected.

35C KING'S CRESCENT ABERDEEN - 240143

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

That the application for Detailed Planning Permission for the change of use from flat to HMO (House in Multiple Occupation) at 35C King's Crescent Aberdeen, be approved subject to the following condition:-

Condition

(1) 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.

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

The Committee then heard from Steven Berry, Old Aberdeen Community Council, who objected to the proposed application.

The Committee then heard from Richard Dingwall, agent for the application, who spoke in support of the proposed application.

The Committee resolved:-

to approve the application conditionally.

WALLACE TOWER, TILLYDRONE ROAD ABERDEEN - 231583

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 change of use from residential dwelling (class 9) to mixed use (class 3 and 4) including community cafe, ancillary office accommodation and meeting hall; erection of single storey extension; formation of external seating area; erection of bin store and associated hard and soft landscaping works including cycle parking at Wallace Tower, Tillydrone 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) EXTERNAL MATERIALS DETAILS

That no development shall take place unless a scheme/samples detailing all external finishing materials to the roof and walls of the development hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed.

Reason – in the interest of visual amenity

(03) IMPLEMENTATION LANDSCAPING SCHEME

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That all planting, seeding and turfing comprised in the approved scheme of landscaping consisting of the drawings 'Planting Plan'; 'Planting Legend' and 'Hard Landscape Materials Plan' by Heather Dale Garden Design, dated 19th January 2024 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 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority.

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

(04) TREE REPLACEMENT SCHEME

That prior to the commencement of the development hereby approved no trees will be removed from within or outside the site unless details of a suitable tree replacement planting scheme has been submitted to, and approved in writing by the Planning Authority in consultation with Environmental Services. For the avoidance of doubt, replacement trees shall be located within the boundary of Seaton Park, and the details to be submitted shall include a specification of their locations, number, species, sizes and stage of maturity at planting.

Reason – In the interest of visual amenity and to ensure appropriate tree cover will remain in Seaton Park

(05) TREE PROTECTION MEASURES (01)

That no development shall take place until tree protection barriers as shown on drawing 'Tree Survey Drawing' by Struan Dalgleish, April 2023 have been erected. Once in place, these tree protection barriers shall remain in situ until construction of the hereby approved development has been completed and all plant and machinery have been removed from site.

Reason – In the interest of protection of trees

(06) TREE PROTECTION MEASURES (02)

That no materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in the scheme of tree protection as shown on drawing 'Tree Survey Drawing' by Struan Dalgleish, April 2023 - without the written consent of the Planning Authority and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks

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

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(07) COOKING RESTRICTIONS

That no cooking or frying operations (including but not limited to deep fat frying, shallow frying, oven cooking, boiling, stewing, grilling or broiling) shall be carried out on the premises, unless a suitable Odour Impact Assessment (including a Local Extract Ventilation needs assessment) by a competent person, in line with relevant guidance, has been submitted to and approved in writing by the Planning Authority in consultation with Environmental Health, and subsequently the Local Extract Ventilation system has been installed in accordance with the approved details.

Reason – In the interest of amenity.

(08) INSTALLATION BIN AND BIKE STORE

That the development hereby approved shall not be brought into use until the bin store and bike stands as specified on drawings PL(00)101A and PL(04)103 have been installed and are available for use unless otherwise agreed in writing.

Reason – In the interest of public health and to promote sustainable transport methods

(09) DISABLED PARKING SPACE

That the development hereby approved shall not be occupied until details of a disabled parking space to be provided in the bellmouth off Tillydrone Road have been submitted to and agreed in writing by the Planning Authority and the disabled parking space subsequently installed in accordance with the approved details.

Reason – To ensure accessible access to the development.

(10) INSPECTION OF TREES (PROTECTED SPECIES)

That one week prior to any tree works, a licensed bat surveyor shall carry out a check of any affected trees to establish whether any evidence of roosting bats or other protected species are present. If any protected species are found in the trees, then felling must be delayed until the end of the season and carried out under license as appropriate.

Reason – In the interest of protection of protected species.

(11) DELIVERIES

That service deliveries/ uplifts to and from the premises shall not occur other than during the hours from 07:00 until 19:00, Mondays to Fridays and during the hours from 08:00 until 13:00, unless the planning authority has given prior written approval for a variation.

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

(12) EXTERNAL SEATING AREA

That the external seating area approved as part of this development shall not be used after 22:00 and that no amplified music shall be used in the external seating area.

Reason – In order to preserve the amenity of the neighbourhood

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

The Committee then heard from Steven Berry, Old Aberdeen Community Council, who objected to the proposed application.

The Committee resolved:-

to approve the application conditionally with an extra condition added to read:-

(13) DETAILS FOR AIR SOURCE HEAT PUMP

That no development shall take place until full details, including predicted noise emissions, from the air source heat pump to be installed, have been submitted and approved in writing by the Local Planning Authority and thereafter the air source heat pump to be installed shall be in accordance with the approved details unless otherwise agreed in writing.

Reason: In the interests of amenity

WALLACE TOWER, TILLYDRONE ROAD ABERDEEN - 231582

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

That the application for Listed Building Consent for the conversion of the existing building to form a community cafe with ancillary office accommodation and ancillary meeting hall; erection of single storey extension; associated external and internal alterations including to internal partitions; creation of new door opening; and replacement internal doors; formation of external seating area and bin store with associated soft and hard landscaping works, at Wallace Tower, Tillydrone Road Aberdeen, be approved subject to the following condition:-

Condition

(01) EXTERNAL MATERIALS DETAILS

That no development shall take place unless a scheme/samples detailing all external

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finishing materials to the roof and walls of the development hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed.

Reason – In the interests of visual amenity

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

The Committee then heard from Steven Berry, Old Aberdeen Community Council, who objected to the proposed application.

The Committee resolved:-

to approve the application conditionally.

- **Councillor Ciaran McRae, Convener**