

# Public Document Pack



To: Councillor McRae, Convener; Councillor Greig, Vice-Convener; and Councillors Alphonse, Boulton, Clark, Copland, Farquhar, Lawrence and Macdonald.

Town House,  
ABERDEEN 26 November 2025

## **PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

The Members of the **PLANNING DEVELOPMENT MANAGEMENT COMMITTEE** are requested to meet in **Committee Room 2 - Town House on THURSDAY, 4 DECEMBER 2025 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  
CHIEF OFFICER – GOVERNANCE

### **B U S I N E S S**

**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)

#### **NOTIFICATION OF URGENT BUSINESS**

- 2.1. Notification 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 6 November 2025 - for approval (Pages 7 - 16)

## **COMMITTEE PLANNER**

- 5.1. Committee Business Planner (Pages 17 - 18)

## **GENERAL BUSINESS**

## **WHERE THE RECOMMENDATION IS ONE OF APPROVAL**

- 6.1. Detailed Planning Permission for the change of use of ground floor to box storage facility (within the rear element of the building) and associated office accommodation (to the front) - 15 Bon Accord Square Aberdeen (Pages 19 - 28)

Planning Reference – 251082

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

[Link.](#)

Planning Officer: Gavin Clark

- 6.2. Detailed Planning Permission for the change of use of flat to short-term let accommodation with maximum occupancy of 2 people - 18D Holburn Road Aberdeen (Pages 29 - 40)

Planning Reference – 251075

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

[Link.](#)

Planning Officer: Samuel Smith

- 6.3. Detailed Planning Permission for the change of use from physiotherapy practice [class 1A (shops, financial professional and other services) use] to cafe / hot food takeaway [mixed class 3 (food and drink) use and sui generis use] - 99 Westburn Road Aberdeen (Pages 41 - 52)

Planning Reference – 250319

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

[Link.](#)

Planning Officer: Robert Forbes

- 6.4. Approval of matters specified in conditions 1 (phasing),2 (design),2a (levels),2b (drainage),2c (foul water connection),2d (cut/ fill),2e (roads),2f (walls/fences),2g (landscaping),2h (layout, siting, design, finish),2j (waste collection),3 (landscaping),4 (access),5 (safe routes to schools),8 (travel plan),9 (framework of travel plan),11 (public transport strategy),12 (flooding),13 (waterways),13 (CEMP),14 (SUDS),15 (drainage maintenance),16 (street design),17 (air quality assessment),19 (protected species),20 (archaeology),21 (energy/sustainability),22 (tree protection),23 (tree management),24 (green belt zone) in relation to Planning Permission in Principle (ref P150824) for erection of 333 homes and associated works - Former Aberdeen Exhibition And Conference Centre, Exhibition Avenue, Aberdeen (Pages 53 - 78)

Planning Reference – 240850

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

[Link.](#)

Planning Officer: Lucy Greene

### **DATE OF NEXT MEETING**

- 7.1. Date of Next Meeting - Thursday 15 January 2026

Integrated Impact Assessments related to reports on this agenda can be viewed [here](#)

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

Website Address: [aberdeencity.gov.uk](http://aberdeencity.gov.uk)

Should you require any further information about this agenda, please contact Lynsey McBain, Committee Officer, on 01224 067344 or email [lymcbain@aberdeencity.gov.uk](mailto:lymcbain@aberdeencity.gov.uk)

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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, 6 November 2025. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor McRae, Convener; Councillor Greig, Vice Convener; and Councillors Alphonse, Blake (as substitute for Councillor Boulton), Clark, Copland, Farquhar (for all items except item 11), Lawrence and Macdonald.

The agenda and reports associated with this minute can be located [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. Councillor Blake noted as a transparency statement that in relation to agenda items 6.1 and 6.2, that she was a member of Aberdeen Climate Action, an organisation that actively supported the Save St Fittick's Park campaign, however Councillor Blake advised that she had never commented on any matters in relation to this. She did not consider that the connection amounted to an interest which required a declaration to be made or would require her to leave the meeting for that item.

### MINUTE OF MEETING OF THE PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 25 SEPTEMBER 2025

2. The Committee had before it the minute of the previous meeting of 25 September 2025, for approval.

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

to approve the minute as a correct record.

### MINUTE OF MEETING OF THE PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS) OF 9 OCTOBER 2025

3. The Committee had before it the minute of the Planning Development Management Committee visits meeting of 9 October 2025, for approval.

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

to approve the minute as a correct record.

### COMMITTEE PLANNER

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

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4. 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 DIGEST

5. 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 contained in the planning appeal digest.

### LAND AT ST FITTICK'S PARK AND DOONIES FARM, ABERDEEN - 250429

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

That the application for approval of matters specified in Conditions 4 (phasing - Zone A) and 41 (phasing - Zone C) in relation to Planning Permission in Principle (Ref: 231371/PPP) for the Proposed business / industrial development (Class 4/5/6); road infrastructure; active travel connections; landscaping and environmental works including drainage and other infrastructure at land at St Fittick's Park And Doonies Farm, Aberdeen, be approved subject to the following conditions:-

**Conditions**

1. PHASING ORDER

That the works shall take place consecutively in the numerical order indicated on the Phasing Plans hereby approved for St Fittick's Zone A and Doonies Zone C, including allowing for overlap between adjacent sub-phases, unless otherwise agreed in writing by the planning authority. (Significant changes to the phasing would require approval through a Matters Specified in Conditions application)

Reason: In order to ensure appropriate timing of provision of mitigation measures.



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### 2. FOOTPATH TO TULLOS HILL

That during the period of any works there shall remain at all times a public footpath link to Tullos Hill including signage indicating any temporary diversion, unless otherwise agreed in writing by the planning authority. (For the avoidance of doubt this may include a number of temporary diversions).

Reason: In order to ensure that a recreational path is available during the construction period.

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

The Committee then heard from Mr David Fryer, representing Torry Community Council, Mr Ian Baird, Dr Susan Smith, Ms Christine Aldred and Dr Ishbel Shand, who all objected to the proposed planning application.

The Committee then heard from Mr Neil Young and Mr Martin Forbes, supported by Mr Henry Farrar and Mr Michael Stewart, agent/applicant for the proposed application, who spoke in support of the application and answered various questions from Members.

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

to approve the application conditionally.

### LAND AT ST FITTICK'S PARK, ABERDEEN - 250440

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

That the application for approval of matters specified in conditions 5 c,d,e (design, layout, siting), 8 (details of East Tullos burn works), 9 (biodiversity), 10 (landscaping), 12 (flood risk assessment), 16 (CEMP), 20a,c,d,g,h (mitigations) and 21 (archaeological works) of application ref. 231371/PPP for the realignment and enhancement of the East Tullos Burn, landscape works and biodiversity enhancement, path connections and associated mitigation works (Phase 1 of Zone A), at land At St Fittick's Park, Aberdeen, be approved unconditionally.

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

The Committee then heard from Ms Rachel Smith, Dr Susan Smith, Dr Ishbel Shand, Mr Scott Herrett and Ms Christine Aldred, who all objected to the proposed application.

The applicant and agent were also available for questions from Members.

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

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

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to approve the application unconditionally.

### LAND NORTH OF ARYBURN FARM, DYCE, ABERDEEN - 241197

8. 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 battery storage unit with associated infrastructure, control building, switch room, inverter containers, lighting, fencing and associated works including access road at land north of Aryburn Farm, Dyce, Aberdeen, be refused for the following reasons:-

That it had not been adequately demonstrated that a site within the green belt was essential for the proposed battery energy storage facility. It was considered that it would be possible to locate such a facility on a more sequentially preferable site in conjunction with more appropriate land uses in the surrounding area and in closer proximity to the Dyce Cothal View Grid Substation. In addition, the proposals would introduce an “industrial” style of development to this rural and agricultural setting which would have an adverse urbanising effect on the character of the area, resulting in the significant erosion of the rural, agricultural feel and providing a facility that would be at odds with the tranquil setting of the surrounding area, which had not previously seen developments of this type. The proposals would therefore undermine the setting of the green belt in this location and could not be supported. The proposals were therefore considered to be contrary to Policy 8 (Green Belts) of National Application Reference: 241197/DPP Planning Framework 4 and Policy NE1 (Green Belt) of the Aberdeen Local Development Plan 2023 and there were no material planning considerations that would warrant approval of planning permission in this instance.

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

The Committee then heard from Mr Robin Simpson, who objected to the proposed application and spoke against the application.

The Committee then heard from Mr David Bowman, agent for the proposed application who spoke in support of the application and answered questions from Members.

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

to refuse the application.

### 12 SALISBURY TERRACE ABERDEEN - 250726

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

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That the application for Detailed Planning Permission for the erection of a single-storey extension to the rear, installation of new rooflights, replacement garage roof to rear, enlargement of side window, and installation of external cladding to existing extension, at 12 Salisbury Terrace Aberdeen, be approved subject to the following condition:-

### **Condition**

#### (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.

The Committee heard from Mr Jan Frontzek, Planner, who spoke in furtherance of the application and answered questions from Members.

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

to approve the application conditionally.

## **HAZLEHEAD ACADEMY, GROATS ROAD ABERDEEN - 250479**

**10.** 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 secondary school community campus with associated external amenities, including landscaping, parking and sports pitches, including demolition of the existing school and associated buildings, at Hazlehead Academy, Groats 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) MATERIALS

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That no development pursuant to the academy school building shall take place unless a scheme and/or samples detailing all external finishing materials to the roof, walls and windows 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. This shall include clarification of colour of mortar and bonds used in the brickwork

Reason - In the interests of visual amenity.

### **(03) BAT SURVEY**

That a preliminary bat roost assessment and summer bat survey shall be undertaken during the survey season in 2026, and that the recommendations as set out in that bat survey shall be implemented in full prior to demolition of the three school buildings located along the southern site boundary.

Reason – To ensure the demolition of the three buildings with moderate bat roosting potential will have no adverse impact on the bat population in the surrounding area.

### **(04) BAT MITIGATION MEASURES**

That a detailed scheme providing as a minimum eight bat boxes in the proximity of the three school buildings located in the southern part of the site or in the woodland immediately to the south of the application site shall be submitted and approved in writing by the Planning Authority. The approved scheme shall subsequently be installed during 2026.

Reason – To ensure that the demolition of the three buildings with moderate bat roosting potential will have no adverse impact on the bat population in the surrounding area.

### **(05) BIODIVERSITY IMPROVEMENT MEASURES**

That prior to occupation of the development hereby approved, biodiversity improvement measures as specified in section 4.4 of the Biodiversity Net Gain Feasibility Assessment by EnviroCentre, dated July 2025 shall be implemented in full and that photographic evidence of implementation of these measures have been provided to the Planning Authority.

Reason – To ensure an improvement to biodiversity across the site.

### **(06) LANDSCAPING SCHEME (IMPLEMENTATION)**

That all planting, seeding and turfing comprised in the approved scheme of landscaping as shown in the hereby approved drawing 8461-RYD-00-EX\_00-D-L-001906/Rev02 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

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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 - in the interests of the amenity of the area.

### **(07) TREE PROTECTION (01)**

That no development shall take place unless the scheme for tree protection as shown on drawing 'Tree Protection Plan' by Struan Dalgleish Arboriculture has been implemented. Subsequently, the tree protection shall remain in place during construction works on the site.

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

### **(08) TREE PROTECTION (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 aforementioned scheme of tree protection without the written consent of the Planning Authority and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks.

Reason - To ensure adequate protection for the trees on site during the construction of the development.

### **(09) OUTDOOR SEATING AND EQUIPMENT**

That no development pursuant to the academy building shall take place unless details of outdoor seating, including canopies, and proposed external gym equipment as set out on the hereby approved drawing 8461-RYD-00-EX\_00-D-L-001902/Rev04 have been submitted and approved in writing by the Planning Authority. Subsequently, the building shall not be brought into use until the approved details have been implemented.

Reason – To ensure a good quality environment for students and in the interest of visual amenity.

### **(10) CYCLE PARKING**

That the academy building hereby approved shall not be occupied unless details of cycle parking storage areas have been submitted and approved in writing by the Planning Authority, and the approved details have been implemented in full.

Reason – To promote sustainable transport modes.

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### (11) PHOTOGRAPHIC SURVEY

No demolition or any other works in connection with the development hereby approved shall commence unless a photographic survey of the existing buildings and structures on the application site has been submitted to and approved in writing by the Planning Service. All external elevations of the buildings and structures together with the setting of the buildings, structures and play areas shall be photographed, together with key internal spaces (a typical classroom, hall, canteen area etc). 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 Record of the Historic Environment for Scotland and in the local Historic Environment Record, owing to its community role it has served since 1970.

### (12) CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN

That no development shall take place until a Construction Environment Management Plan has been submitted to and approved in writing by the Planning Authority. As a minimum, this should cover:

- (a) A Demolition Method Statement including details of the recycling of waste materials;
- (b) An 'Air Quality (Dust) Risk Assessment' carried out by a suitably qualified consultant, to predict the likely dust levels resulting from the proposed development and its impact on air quality including a determination of it significant; and
- (c) A 'Dust Management Plan', which shall be based on the results of the 'Air Quality (Dust) Risk Assessment'
- (d) A 'Construction Noise Impact Assessment', which should:
  - i. Be undertaken by a suitably qualified noise consultant
  - ii. Demonstrate adherence to the guidance contained within: BS8228 – 1:2009+A1:2014 Code of practice for noise and vibration control on construction sites and open sites – Part 1 Noise and Part 2: Vibration
  - iii. Identify the sources of construction noise likely to impact on the existing residences.
  - iv. predict the impacts of the noise sources on the proposed residential development
  - v. Detail the noise mitigation measures to reduce noise from the construction noise sources to an acceptable level to reasonably protect the amenity of the occupants of the proposed residences.
  - vi. The methodology for the noise assessment should be submitted and agreed in writing with the Environmental Protection Team in advance of the assessment.

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Any such scheme as has been approved shall subsequently be implemented during the construction works.

Reason: In the interest of public health.

### (13) RESTRICTION ON HOURS – MULTI-USE GAMES AREAS

That the multi-use games areas hereby approved shall not be in use between 22:00 and 08:00 on any given day.

Reason – in the interest of residential amenity.

### (14) SCHOOL TRAVEL PLAN

That the academy building hereby approved shall not be brought into use unless a Travel Plan, incorporating suitable aims and measures to encourage the use of sustainable and active travel by staff and students to and from the site, has been submitted to and agreed in writing by the Planning Service. Thereafter the development shall be operated in accordance with the agreed Travel Plan.

Reason – In the interest of promoting the use of sustainable and active travel by staff and students.

### (15) PAVEMENT – GROATS ROAD

That the academy building hereby approved shall not be occupied unless a scheme detailing the installation of a footpath along the east side of Groats Road for a minimum distance of 125m in a southwards direction from its junction with Queens Road, and a parallel crossing into the school grounds has been submitted to and agreed in writing by the Planning Service. Any such scheme as has been approved shall subsequently be implemented prior to opening of the academy building.

Reason – In the interest of promoting the use of sustainable and active travel by staff and students.

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

During questioning, Councillor Macdonald advised that she was a Board member on Aberdeen Heat and Power Network but did not feel that the connection would prevent her from remaining in the meeting during consideration and determination of the application.

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

- (i) to note that Councillor Blake would email over her concerns in relation to the travel plan to the planning service as soon as possible; and
- (ii) to approve the application conditionally.

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

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### CITY CENTRE AFFORDABLE HOUSING WAIVER - CR&E/25/227

11. With reference to article 2 of the minute of Council of 25 August 2022, the Committee had before it a report by the Chief Officer – Strategic Place Planning, which sought to extend the Council's Affordable Housing requirement waiver, which was due to expire in December 2025. The waiver currently applied to new planning applications for eligible residential developments that were submitted in the City Centre area.

#### **The report recommended:-**

that the Committee –

- (a) note that on 25 August 2022, Council approved an extension of the Affordable Housing waiver until 31 December 2025; and
- (b) agree to further extend the Affordable Housing waiver until the adoption of the next Aberdeen Local Development Plan.

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

- (i) to approve recommendation (a) ;and
  - (ii) to agree to further extend the Affordable Housing waiver until 31 December 2027.
- **Councillor Ciaran McRae, Convener**



	A	B	C	D	E	F	G	H	I	J
1	<b>PLANNING DEVELOPMENT MANAGEMENT COMMITTEE BUSINESS PLANNER</b> 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	<b>Report Title</b>	<b>Minute Reference/Committee Decision or Purpose of Report</b>	<b>Update</b>	<b>Report Author</b>	<b>Chief Officer</b>	<b>Directorate</b>	<b>Terms of Reference</b>	<b>Delayed or Recommended for removal or transfer, enter either D, R, or T</b>	<b>Explanation if delayed, removed or transferred</b>	
3			<b>04 December 2025</b>							
4	Former AECC - 240850	To approve or refuse the application for MSC for the erection of 333 homes and associated infrastructure		Lucy Greene	Strategic Place Planning	Place	1			
5	99 Westburn Road Aberdeen - 250319	To approve or refuse the application for change of use to Cafe / hot food take way		Robert Forbes	Strategic Place Planning	Place	1			
6	18D Holburn Road Aberdeen - 251075	To approve or refuse the application for change of use of flat to short-term let accommodation with maximum occupancy of 2 people		Samuel Smith	Strategic Place Planning	Place	1			
7	15 Bon Accord Square Aberdeen - 251082	To approve or refuse the application for change of use of ground floor to box storage facility (within the rear element of the building) and associated office accommodation (to the front)		Gavin Clark	Strategic Place Planning	Place	1			
8			<b>15 January 2026</b>							
9	10 Hopetoun Court Aberdeen - 251110	To approve or refuse the application for the erection of two-storey and single storey extensions to replace existing single storey extension, covered area and all associated external works and landscaping		Gavin Clark	Strategic Place Planning	Place	1			
10			<b>Future applications to PDMC (date of meeting yet to be finalised.</b>							
11	490 King Street - 241451	To approve or refuse the application for extension to form 21 Student Flats		Robert Forbes	Strategic Place Planning	Place	1			
12	Oldfold, Milltimber Block G - 250750/S42	To approve or refuse the application for variation of condition 3 of 220466/S42 to change the number units (increase from no more than 400 to 500) that shall be completed before the proposed mixed-use centre within block G has been completed and is available for		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										
13	Oldfold, Milltimber Phase 5A (block U) - 250755	To approve or refuse the application for residential development comprising 49 houses, including infrastructure and open space		Matthew Easton	Strategic Place Planning	Place	1			
14	Oldfold, Milltimber Block G - 250754	To approve or refuse the application for 37 units + commercial space		Matthew Easton	Strategic Place Planning	Place	1			
15	Annual Effectiveness Report - Service Update	At the meeting of Council on 16 April 2025, it was agreed that Annual Effectiveness Report would now be a service update		Lynsey McBain	Governance	Customers Service				
16	Article 4 Directions	At the meeting on 19 September 2024, it was agreed to instruct the Chief Officer – Strategic Place Planning to report the outcomes of the public consultation and any proposed recommendations on the Article 4 Directions to a subsequent Planning Development Management Committee within the next six months.	Delayed consultation start due to begin early May. Will report back after this is completed.	Laura Robertson	Strategic Placing Planning	Place	5			
17	Draft Aberdeen Guidance - Wind Turbine	At the Council meeting on 3 November 2023, it was agreed to instruct the Chief Officer - Strategic Place Planning to update the draft Aberdeen Planning Guidance on Wind Turbine Development in light of consultation responses received and the policy shift within NPF4 and incorporate it within draft Aberdeen Planning Guidance on Renewable Energy Development, a draft of which should be reported to the Planning Development Management Committee within 12 months.	At the Committee meeting of 21 August 2025, it was noted that with the introduction of National Planning Framework 4, this would now be a Draft Aberdeen Planning Guidance on Energy. An update would be added to the planner once Scottish Government planning guidance on energy developments have been published, and officers would identify if there was a requirement for local guidance to be produced at this time.	David Dunne	Strategic Place Planning	Place	5			
18	Aberdeen Planning Guidance: Health Impact Assessments	At the meeting of 21 August 2025, it was agreed that a report be brought back to this Committee in one year, to provide details on how the guidance had been implemented		Donna Laing	Strategic Place Planning	Place	5			

	<b>Planning Development Management Committee</b>
	Report by Development Management Manager
	<b>Committee Date: 4 December 2025</b>

<b>Site Address:</b>	15 Bon-accord Square, Aberdeen, AB11 6DJ
<b>Application Description:</b>	Change of use of ground floor to box storage facility (within the rear element of the building) and associated office accommodation (to the front)
<b>Application Ref:</b>	251082/DPP
<b>Application Type</b>	Detailed Planning Permission
<b>Application Date:</b>	3 October 2025
<b>Applicant:</b>	Bowden Developments Ltd
<b>Ward:</b>	Torry/Ferryhill
<b>Community Council:</b>	City Centre



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## **RECOMMENDATION**

Approve Conditionally

## **APPLICATION BACKGROUND**

### **Site Description**

The application property is a three and a half storey (including basement) mid terraced traditional granite building with slate roof located on the southern side of Bon-Accord Square. The property is Category B listed as part of a group listing for 1-17 Bon-Accord Square, 1-7 East Craibstone Street and 1-7 West Craibstone Street and located within the Crown Street/ Bon Accord Conservation Area. The property includes a large 1960s three-storey extension to the rear of the premises, with buff harled walls and a slated mansard roof, which is of little architectural merit and does not form part of the listing. The building is presently utilised as serviced apartments at basement and upper floor levels with reception area at ground floor level with the rest of the building (to which the current application relates) being vacant but having most recently been in use as a social club (United Services Club). The surrounding area includes a mixture of uses including offices, social clubs and residential properties. Craibstone Lane bounds the site to the rear.

### **Relevant Planning History**

- 251083/LBC – Listed building consent for internal alterations to partitions and doors, formation of tea prep area and toilet, removal of raised stage, installation of steel stair and all associated works was approved conditionally in November 2025.
- 141342 – Listed building consent for internal alterations to ground floor and basement layout along with the re-opening of two side windows and the creating of two garage door opening to the rear lane was approved unconditionally on 7 November 2014. This permission was not implemented and has since expired.
- 141341 – Detailed planning permission for a change of use of the ground floor to six serviced apartments, creation of new basement storage area, re-open existing two side windows and creation of two new garage door opening to rear lane was approved conditionally on 10 November 2014. This permission was not implemented and has since expired.
- 120972 – Detailed planning permission for a change of use from social club to 19 hotel rooms, formation of new storage areas, re-open 2 existing windows and form 2 doors to storage area was approved conditionally on 2 October 2012. This permission was not implemented and has since expired.
- 120933 – Listed building consent for the insertion of two garage doors and re-opening of two windows to the rear and side elevation was approved unconditionally on 26 October 2012. This permission was not implemented and has since expired.
- 110500 – Detailed planning permission for a change of use from social club to form two serviced apartments, serviced offices, and alterations to form new windows and door openings on rear extension was approved unconditionally on 9 June 2011. This permission was not implemented and has since expired.
- 110502 – Listed building consent to re-open two existing windows, insert new windows, garage door and rear fire exit all to rear and side elevations was approved unconditionally on 3 June 2011. This permission was not implemented and has since expired.

- A7/0335 – Detailed planning permission for a part change of use from private members club to hotel/serviced apartments and extension to second floor was approved conditionally on 2 May 2007. This permission appears to have been implemented. An associated application for listed building consent A7/0354 for new dormer windows, windows and rear roof extension was approved conditionally on 2 May 2007.

## **APPLICATION DESCRIPTION**

### **Description of Proposal**

The proposals seek detailed planning permission for a change of use of the ground floor to create a box storage facility (within the rear extension element of the building) and associated office accommodation (to the front, within the original granite townhouse). No external alterations to the building are proposed. The submitted information indicates that the premises would operate on a valet style storage and logistics model, with around 2-4 trips to the premises per day, undertaken by staff only, using a small van. Members of the general public/ customers would not have access to the storage facility. Two rear existing entrances would be used for unloading and loading of storage materials from Craibstone Lane.

### **Amendments/ Additional Information**

- With the agreement of the applicant the description of the proposed development was changed from “*change of use to Class 6 (Storage and Distribution) and Class 4 (Business)*” to the current description to “*change of use of ground floor to box storage facility (within the rear element of the building) and associated office accommodation (to the front)*” to accurately describe the proposed development. Neighbour re-notification was not considered necessary.
- In addition, a Supporting Statement and Noise Impact Assessment were submitted in support of the application.

### **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=T3I9I7BZFH00>

- Supporting Statement
- Noise Impact Assessment

### **Reason for Referral to Committee**

The application has been referred to the Planning Development Management Committee because:

- The proposals have been subject to six timeous letters of objection.

Determination of the application therefore falls outwith the scheme of delegation.

## **CONSULTATIONS**

### **Aberdeen City Council (ACC) Internal Consultees**

- **ACC - Environmental Health** – originally requested the submission of a Noise Impact Assessment due to the potential for the proposal to cause noise disturbance to existing sensitive receptors (residential) in the surrounding area. Following receipt of the supporting statement they confirmed that the proposals were acceptable subject to conditions restricting the use of the premises to that of a box storage facility and that the use is only operational between 0800 and 1800 hours.
- **ACC - Roads Development Management (RDM) Team** – note that the site benefits from good accessibility via sustainable modes of transport. Note that there is currently no dedicated parking spaces associated with the site, and none are proposed as part of this application.

Whilst controlled parking zone B provides a level of parking control that should prevent inappropriate or obstructive parking, and the applicant's proposed method of operation suggests the site will generate minimal vehicle trips. It is also expected that the business would apply for the necessary parking permit. RDM would support this, provided a suitable condition is attached to any approval, limiting the site's operation to the applicant's described mode - a valet-style storage and logistics service with no customer interaction on-site.

Also note the secure cycle storage which is being proposed for staff and confirm this is acceptable. Confirmation that no business bins are to be stored on the public road outwith collection time is acceptable.

RDM have no objection subject to a suitable condition(s) ensuring the site operates as has been described by the applicant.

### **External Consultees**

- **City Centre Community Council** – no response received.

## **REPRESENTATIONS**

Six representations have been received (six objections). The matters raised can be summarised as follows –

### **Material Considerations**

1. Noise concerns and associated impacts on residential amenity and the proposals would have an adverse impact on the character of the surrounding area.
2. The impact on quality office and residential accommodation within Bon-accord Square. The current mix of offices, serviced accommodation, clubs and residential properties is appropriate for the square and the proposed use is not an appropriate addition and should be located within an industrial area.
3. Traffic concerns associated with the proposed business and impacts that this would have on the surrounding road network/ parking facilities. The proposals would fail to comply with associated transport policies and guidance.

4. The proposals would be at odds with the aims of the City Centre and Beach Masterplan, which seeks to re-introduce residential uses to the city centre.
5. The proposal, which is located within a low emissions zone, would conflict with the Council's aims of cleaner city centre air.

### **Non-Material Considerations**

6. There was a lack of engagement with local residents regarding the proposals; meaningful consultation should have been undertaken to assess community sentiment and potential impacts.

## **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.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires the planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

### **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.

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 3 (Biodiversity)
- Policy 9 (Brownfield, Vacant and Derelict Land and Empty Buildings)
- Policy 13 (Sustainable Transport)
- Policy 23 (Health and Safety)

#### **Aberdeen Local Development Plan 2023**

- Policy H2 (Mixed Use Areas)
- Policy T2 (Sustainable Transport)
- OP91 (Union Street West City Centre Masterplan Intervention Area)
- Policy VC1 (Vibrant City)
- Policy VC4 (City Centre and Retail Core)
- Policy WB3 (Noise)

## Aberdeen Planning Guidance

- Noise
- Transport & Accessibility

## Other Material Considerations

- City Centre and Beach Masterplan
- Bon-Accord and Crown Street Conservation Area Character Appraisal

## **EVALUATION**

### **Key Determining Factors**

The key determining factors in relation to the proposals relate to the principle of development, access and servicing of the building and impacts on residential amenity. These matters are addressed in the following evaluation. As no external alterations are proposed an assessment on the historic environment as well as design is unnecessary.

### **Principle of Development**

The site is zoned as a mixed use area in the Aberdeen Local Development Plan (ALDP), where Policy H2 (Mixed Use Areas) applies. This states that *“applications for development or change of use within mixed use areas must take into account the existing uses and character of the surrounding area and avoid direct conflict with the adjacent land uses and amenity.”* It also states that *“where new industrial, business or commercial uses are deemed appropriate, development should not adversely affect the amenity of people living and working in the area.”*

The proposal relates to a long-time vacant unit which was most recently in use as a social club, which would fall under Class 11 (Assembly and Leisure) of the Town and Country Planning (Use Classes) Scotland Order 1997 (as amended). The proposal seeks to introduce office accommodation fronting onto Bon-accord Square with an associated box storage facility using the majority of the rear of the premises. The nature of the proposed business, as detailed in the applicants supporting statement, and set out in the below evaluation, have demonstrated that such a use could be accommodated in the premises without having an adverse impact on residential amenity, particularly when viewed against the consented use of the premises. The proposals would not impact on neighbouring users to an unacceptable degree and would therefore comply with Policy H2 of the ALDP in principle.

The application site is also located within the boundaries of the city centre. Policy VC1 (Vibrant City) of the ALDP advises *“proposals for new development, or expansion of existing activities, in the city centre, which support its vibrancy and vitality throughout the day and/or into the evening will be supported in principle. Proposals will be considered in relation to their locality and context within the city centre.”* Policy VC4 (City Centre and Retail Core) states *“development within the city centre must contribute towards the vision for the city centre as a major regional centre as expressed in the City Centre Masterplan.”*

The proposed development would only be partially open to members of the public, who may use the office accommodation but would have no access to the rear of the premises, where deliveries and pick-ups would be undertaken to the storage area by employees of the business. Given that the application property is a long-time vacant premises, it is considered that the office accommodation



to be provided to the front, would offer a degree of vibrancy and vitality, particularly when compared to the current use, and along with the consented use of the upper floors of the premises as serviced accommodation the proposals would be generally in line with Policy VC1 and VC4 of the ALDP and the aims and aspirations of the City Centre and Beach Masterplan.

It is noted that the part of the premises to which the proposals relate are vacant, and have been for a significant period of time. Policy 9 (Brownfield, Vacant and Derelict Land and Empty Buildings) of NPF4 states *“development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported.”* The proposals will see a partially vacant building being brought back into full use as a box storage facility with ancillary office space, to be operated alongside the serviced accommodation. The proposals would result in the sustainable use of a partially vacant building and would comply with the aims of Policy 9.

The Bon-Accord and Crown Street Conservation Area Character Appraisal discusses matters such as the setting of buildings, the built environment, public realm and the natural environment. Given the proposals would bring a vacant building back into use and no external alterations are proposed to the building there would be no conflict with this document.

The application site is also located within OP91 (Union Street West City Centre Masterplan Intervention Area). This OP is not considered to be of particular relevance, although it does mention *“refurbishment of Bon Accord Square”*. The proposals would not impact on or prejudice this aspiration.

## **Transportation**

The applicant, in their supporting statement, has advised that vehicle movements, associated with the proposed use, would be minimal (typically 2-4 small van trips per day) with rear access points to the building ensuring that all operational movements occur away from the frontage of the building on the rear lane. The supporting statement also advises that no customers are expected to visit the premises with the proposed use offering a “pick-up” facility. A single parking permit for the company vehicle would likely be required with a LEZ compliant vehicle, albeit these matters fall out with the control of planning. The applicants have also advised that cycle parking facilities would be provided for staff.

The proposals have been subject to consultation with the RDM who have provided various comments on the proposed development. They have noted that the site is located within the city centre, with good accessibility to the site via various modes of sustainable transport. They are content with the findings of the supporting statement, noting that the proposed use should be in line with the details of the supporting statement (via planning condition) and the provision of cycle storage facilities also to be controlled via planning condition. They have confirmed no objection to the application and consider that the proposal would comply with the general principles of both Policy 13 (Sustainable Transport) of NPF4 and Policy T2 (Sustainable Transport) of the ALDP.

## **Noise**

Policy WB3 (Noise) of the ALDP advises *“in cases where significant exposure to noise is likely to arise from development, a Noise Impact Assessment (NIA) will be required as part of a planning application.”* Similar guidance is provided by Policy 23 (Health and Safety) of NPF4 which states *“development proposals that are likely to raise unacceptable noise issues will not be supported. The agent of change principle applies to noise sensitive development.”*

The proposals were subject to consultation with Environmental Health, who initially raised concerns with regards to noise and the potential for impacts on adjacent residential properties and requested the submission of a Noise Impact Assessment (NIA). Following receipt of the applicant's supporting statement, which clarified the use of the proposed premises, Environmental Health confirmed that a NIA was not required, subject to conditions ensuring that the premises were only utilised as a box storage facility and the hours of operation of the premises were restricted to between 0800 and 1800. As a result of the above, and subject to these conditions, it is considered that the development proposal could operate without having an adverse impact on residential amenity and in general compliance with Policy WB3 of the ALDP and Policy 23 of NPF4.

### **Tackling the Climate and Nature Crises, Climate mitigation and Biodiversity**

Policy 1 (Tackling the Climate and Nature Crises) of NPF4 requires significant weight to be given to the global climate and nature crises in the consideration of all development proposals. Policy 2 (Climate mitigation and adaptation) of NPF4 requires development proposals to be designed and sited to minimise lifecycle greenhouse gas emissions as far as possible, and to adapt to current and future risks from climate change. Policy 3 (Biodiversity) of NPF4 requires proposals for local development to include measures to conserve, restore and enhance biodiversity, proportionate to the nature and scale of development.

The proposed development, which relates to the repurposing and re-use of a partially vacant ground floor building is sufficiently small-scale such that it would not make any material difference to the global climate and nature crises nor to climate mitigation and adaptation, nor are there any significant opportunities to minimise greenhouse gas emissions given the nature of the proposals. Therefore, the proposals are compliant with Policies 1 and 2 of NPF4. The proposed development would be small-scale and does not offer the opportunity for any biodiversity gain. The proposals are thus considered to be acceptable, despite some minor tension with Policy 3 of NPF4.

### **Matters Raised in Representations**

1. Noise concerns and associated impacts on residential amenity and the proposals would have an adverse impact on the character of the surrounding area. *Response: this matter has been addressed in the above evaluation. The proposals are considered to be an acceptable form of development, with no adverse noise impacts arising.*
2. The impact on quality office and residential accommodation within Bon-accord Square. The current mix of offices, serviced accommodation, clubs and residential properties is appropriate for the square and the proposed use is not an appropriate addition and should be located within an industrial area. *Response: this matter has been addressed in the above evaluation. The proposed use is considered to be acceptable for the context and would see a vacant building, with a large extension, being brought back into use.*
3. Traffic concerns associated with the proposed business and impacts that this would have on the surrounding road network/ parking facilities. The proposals would fail to comply with associated transport policies and guidance. *Response: this matter has been addressed in the above evaluation. The proposed management plan/ clarification by the applicant would ensure that there are no adverse impacts.*
4. The proposals would be at odds with the aims of the City Centre and Beach Masterplan, which seeks to re-introduce residential uses to the city centre. *Response: this matter has been addressed in the above evaluation.*

5. The proposal, which is located within a low emissions zone, would conflict with the Council's aims of cleaner city centre air. *Response: the proposed use would bring a vacant building back into use and would not negatively impact on the Council's low emission aims.*
6. There was a lack of engagement with local residents regarding the proposals; meaningful consultation should have been undertaken to assess community sentiment and potential impacts. *Response: there was no planning requirement for the proposals to be subject to pre-application consultation. Neighbour notification was carried out correctly, with properties located within 20 m of the application boundary notified of the application.*

## **RECOMMENDATION**

Approve Conditionally

## **REASON FOR RECOMMENDATION**

The proposals are considered to be an acceptable form of development that would see a partially vacant building being brought back into use. Sufficient information has been submitted to demonstrate that the proposals would not adversely impact on residential amenity, and the transport arrangements are considered to be acceptable for the proposed use. The proposals are considered to be compliant with Policies 9 (Brownfield, Vacant and Derelict Land and Empty Buildings), 13 (Sustainable Transport) and 23 (Health and Safety) of National Planning Framework 4, Policies H2 (Mixed Use Areas), T2 (Sustainable Transport), OP91 (Union Street West City Centre Masterplan Intervention Area), VC1 (Vibrant City), VC4 (City Centre and Retail Core) and WB3 (Noise) of the Aberdeen Local Development Plan, its associated Aberdeen Planning Guidance on Noise and Transport & Accessibility as well as with the aspirations of the City Centre and Beach Masterplan Bon-Accord and Crown Street Conservation Area Character Appraisal.

## **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) PROPOSED USE AND HOURS OF OPERATION**

That the use hereby approved shall be operated in general accordance with the details set out in the supporting statement by Bowden Developments Ltd (Ref: 251082-01) and shall be utilised as a box storage facility only as described by the applicant.

Reason – in the interests of residential amenity.

### **(03) HOURS OF OPERATION**

That the use hereby approved shall not operate outwith the hours of 08:00 and 18:00 on any day.

Reason – in the interests of residential amenity.

#### (04) CYCLE STORAGE FACILITIES

That the development hereby granted planning permission shall not be brought into use unless a scheme detailing cycle storage provision has been submitted to, and approved in writing by the planning authority, and thereafter implemented in full accordance with said scheme.

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

	<b>Planning Development Management Committee</b>
	Report by Development Management Manager
	<b>Committee Date:</b>

<b>Site Address:</b>	Flat D, 18 Holburn Road, Aberdeen AB10 6EX
<b>Application Description:</b>	Change of use of flat to short-term let accommodation with maximum occupancy of 2 people
<b>Application Ref:</b>	251075/DPP
<b>Application Type</b>	Detailed Planning Permission
<b>Application Date:</b>	6 October 2025
<b>Applicant:</b>	Mrs Laura Mearns
<b>Ward:</b>	Airyhall/Broomhill/Garthdee
<b>Community Council:</b>	Ashley and Broomhill



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## **RECOMMENDATION**

Approve Conditionally

## **APPLICATION BACKGROUND**

### **Site Description**

The application site relates to a one-bedroom flat, with additional small room used as a study/bedroom, located on the first floor of a traditional mid-terrace tenement consisting of six flats, with two on each floor and sharing a landing. The flat has an internal floor area of approximately 38 square metres, is dual aspect and includes a separate living room, kitchen, and bathroom. There is a communal garden to the rear shared with the other flats of the tenement.

### **Relevant Planning History**

None

## **APPLICATION DESCRIPTION**

### **Description of Proposal**

Detailed planning permission is sought for the change of use of the property from a residential flat to Short Term Let (STL) accommodation (both sui generis).

The applicant advises that the maximum occupancy for the one-bedroom STL would be two persons at any one time, with a minimum stay duration of two nights. The property would be operated as an STL on a permanent basis. Customers of the property would have access to controlled on-street parking. The property would be cleaned after each visit or twice monthly for longer stays.

### **Amendments**

The maximum occupancy was reduced from three to two.

### **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=T3GETKBZFGM00>

- STL Checklist

### **Reason for Referral to Committee**

The application has been referred to the Planning Development Management Committee because:

- Eight timeous letters of representation containing material planning considerations that express objection or concern to the proposal have been received.

Determination of the application therefore falls outwith the scheme of delegation.

## **CONSULTATIONS**

### **Aberdeen City Council (ACC) Internal Consultees**

- **ACC - Roads Development Management Team** – No objection to the proposal. The site is located in the inner city, and lies outwith any controlled parking zone. The existing and proposed uses have the same associated parking requirement, therefore shall be no change or detrimental shortfall on parking within the area.
- **ACC - Waste and Recycling** – No objection. The proposed development is classified as commercial and will therefore receive a business waste collection. Customers of the STL could continue to utilise existing domestic waste and recycling bins until commercial status can be determined. Further information is included as an advisory note for the applicant to be aware of.

### **External Consultees**

- **Ashley and Broomhill Community Council** – No comments received.

## **REPRESENTATIONS**

Nine representations have been received; eight objecting to the proposal and one neutral representation. The matters raised can be summarised as follows –

### **Material Considerations**

1. Unknown short term residents coming and going will not treat residents and communal areas with respect and it is reassuring to know that only other residents and their relations are entering the communal areas.
2. The proposed use would be incompatible with the surrounding residential character of the area, contrary to policies designed to protect the amenity, safety and security of neighbouring residents.
3. The block is very quiet, peaceful and friendly. Short term traveller accommodation is very likely to increase likelihood of late night noise, anti-social behaviour and general disturbance to the area as well as significantly increasing the footfall in the building. This would create extra noise especially for ground floor properties as it would be on the middle floor, directly needing to pass these properties doors to access the stairs. It would also impact on general well-being where the garden is used at night time.
4. Security and privacy concerns with not knowing who is coming and going in the block regularly. Users of the short term let would be able to look into the windows of the ground floor flats from the shared garden.
5. Given its location near town, it could be rented by people going for nightlife, then coming back and potentially creating noise within the buildings and gardens.
6. The local area would be negatively affected by short term lets as there will be less residents taking ownership in the area. The properties on this residential street are mostly owner occupied and private rental homes. Short term lets should not become part of this use of residential properties in this or any other area in Aberdeen City.
7. There is an issue with parking spaces and the proposal is likely to make this situation more challenging, which could lead to further congestion, blocked driveways and safety issues for pedestrians and other road users, as current situation has result in cars blocking driveways.
8. Housing: Short term lets remove a property from residential housing stock, prevent local people from living in their local area and reduce community involvement. A housing

emergency has been declared in Aberdeen City and the proposal would be a contravention of the housing emergency.

9. There is sufficient short term traveller accommodation in the west end of Aberdeen city centre currently available.

### **Non-Material Considerations**

1. Short term lets would increase rents in private rental properties and reduce the value of flats in the tenement where one of the flats is being used as short term let. Prospective buyers will be more hesitant to make an offer to buy a flat that is for sale.
2. As the property is not owned by the occupier, contacting the owner in the event it becomes necessary will become a protracted task for issues such as leaks.
3. There has been a previous break in at another property.
4. Short term let applications would reduce the prospect of being included within the scheme under the Aberdeen City Council Strategic Housing Investment Plan (2025/26-2029/30) for uptake in empty homes being brought back into use.
5. A question was raised whether the application can specify the flat will only be let to over 25s only to protect from disturbance.

These matters relating to factors and previous events outside of the operation of the proposed short term let are not material to the assessment of this application. The empty homes scheme relates to owners who wish to bring out of use properties back into use; it is separate and has no bearing on the assessment of this application. Limitations on the age of guests cannot be applied or enforced by the planning service.

## **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.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires the planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

### **Development Plan**

#### **National Planning Framework 4**

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 3 (Biodiversity)
- Policy 12 (Zero Waste)
- Policy 13 (Sustainable Transport)
- Policy 30 (Tourism)

#### **Aberdeen Local Development Plan 2023 (ALDP)**

- Policy D2 (Amenity)
- Policy H1 (Residential Areas)



- Policy R5 (Waste Management Requirements for New Developments)
- Policy T2 (Sustainable Transport)
- Policy T3 (Parking)
- Policy VC2 (Tourism and Culture)

### **Aberdeen Planning Guidance**

- Short-term Lets

### **Other National Policy and Guidance**

- Scottish Government publications:
  - o Circular 1/2023: [Short-Term Lets and Planning](#)
  - o Short Term Lets: [Business and regulatory impact assessment – November 2021](#)
  - o Scottish Government – [Research into the impact of short-term lets on communities across Scotland – October 2019](#)

## **EVALUATION**

### **Key Determining Factors**

The key determining factors in the assessment of this application are whether the proposed development would impact upon the character and amenity of the area, including the residential amenity of immediately neighbouring properties.

### **Provision of Short Term Let accommodation and impacts on character & amenity**

Policy 30 (Tourism), paragraph (e) of National Planning Framework 4 (NPF4) states:

*e) Development proposals for the reuse of existing buildings for short term holiday letting will not be supported where the proposal will result in:*

- i. An unacceptable impact on local amenity or the character of a neighbourhood or area;  
or*
- ii. The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits*

Policy H1 (Residential Areas) of the ALDP states:

*Within existing residential areas, proposals for non-residential uses will be supported if:*

- 1. they are considered complementary to residential use; or*
- 2. it can be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity.*

### **Impact on character and amenity of the area**

The application property is situated within a residential area as zoned in the ALDP Proposals Map. While not a primary route, there is a moderate level of through traffic on Holburn Road given the nearby presence of commercial uses on Holburn Street at the road's eastern end, with the Holburn Neighbourhood Centre located 80 m to the east of the site, and the city centre boundary starting

500 m to the north. As such there is a higher level of activity than would be typical for a street of this nature in the West End of Aberdeen, given its proximity to the city centre.

Given the relatively small-scale nature of the property, comprising a one-bedroom unit with a proposed maximum occupancy of two people at any one time, its use as an STL would be unlikely to result in a significant increase in activity or coming and goings, compared to mainstream residential use, therefore the proposal is unlikely to have any significant impact on the character of the area over and above how it would be expected to be used in mainstream residential use. Additionally, no external alterations are proposed, therefore it is considered that the character of the area would be preserved (*issue 2 in representations*). As there would be no internal alterations either, the property could easily be reverted to its previous residential use and the application is therefore adaptable according to Policy D1 of ALDP.

Representations have raised concern over properties becoming short term lets, resulting in the area having less residents taking ownership of the area (*issue 6*). This matter raises a general concern relating the principle of supporting short term lets in Aberdeen City, as opposed to the impact of this proposal. The presence of one property within this block would not negatively impact on the overall residential character of the building or the surrounding area. As such, it would comply with Policy 30 of NPF4 and Policy H1 of the ALDP. The potential impact on housing demand has been assessed in the following report.

In terms of impacts on amenity, the property shares an entrance door and stairwell with five other properties, all of which are understood to be in use as mainstream residential flats. In general, it is considered that the use of properties as STLs within residential flatted buildings could result in increased harm to the amenity of neighbouring properties, beyond that which would typically be expected from a property in mainstream residential use, particularly due to the following:

- the potential for noise from increased coming and goings via the communal entrance and stairwell due to frequent customer turnovers (check-ins and check-outs) and cleaning between occupancies;
- the potential for noise from customer activities within the property, particularly in the quieter, more sensitive late evening and early morning periods – especially if used as a ‘party flat’;
- the potential for the disturbance of privacy and the perceived impact on safety resulting from the use of communal areas (including gardens) by transient persons unknown to permanent residents.

The application property is located on the first floor and as such, requires guests, as well as cleaners, to ascend the communal stairwell for access, passing the other properties in the building, with representations noting that this impact would be most felt by ground floor properties. The representations have raised potential concerns relating to the impacts of guests on the quiet and peaceful character of the block and footfall in the building (*issue 2 and 3*). The proposed short term let use with a maximum occupancy of two guests within the one-bedroom property would be small-scale and similar to how the property would be occupied as a permanent residence. Its use would thus not introduce additional noise levels or footfall within the building from its proposed use.

In relation to concerns raised relating to late-night noise, the proposed STL is a 38 sqm one-bedroom flat with a stated maximum occupancy of two people. It is thus unlikely that the flat would be used for the hosting of parties or other events of an anti-social nature that could harm the amenity of neighbouring properties in terms of noise from activities within the property during the more sensitive late night and early morning periods. Such activities could nevertheless take place in the property if operated as mainstream residential accommodation. The proposal is therefore not considered to present significant harm to the amenity of the existing building for the

neighbouring residents given that it would be used in a similar way to how it would as a permanent residence; by a small group of two people (*issue 5*).

The rear garden is accessed via the shared hallway at ground floor level. Typically, it is not anticipated that customers staying at a property on a short-term basis would be likely to use the garden area for any significant periods of time, if at all, particularly if the property is used by tourists or business travellers, who would be more likely to be out sightseeing or working during the day. The site also lies within a 10-15 minute walk from Bon-Accord Gardens and Duthie Park, that may be more attractive to visitors. The garden comprises outbuildings and a paved path immediately to the rear, adjacent to an area of grass used as a drying green, with a washing line across it. The main area with potential for sitting out in would thus be further to the north, beyond the trees on the site, where there is an open area of grass. It is therefore not anticipated that, when in use by guests, that they would be directly outside of the ground floor windows for prolonged periods of times, as raised in the representations (*issue 4*). Given the existing nature of the garden, shared by six flats, the presence of two transient guests would not significantly harm the existing level of privacy afforded to this rear garden or the enjoyment of its use, given the limited intensity of use from this small group.

Based on the intensity of the proposed short term let (with a maximum of two customers when in use and periods of time when the property will likely not be in use), and the number of other properties in the building, combined with the context of the surrounding area, would be sufficient to ensure that its use as an STL would not, in itself, cause any significant harm to the amenity of the neighbouring mainstream residential properties within the building, beyond the impacts to amenity which could occur if the property were to remain in mainstream residential use. Although a reduction in safety and security for the permanent residents in the building resulting from the use of the property as an STL could occur, it is considered that any such reduction would be relatively minor and mitigated by appropriate management of the property (*issue 1*) – ensuring that the risk of actual harm to safety and security would be low.

It is therefore considered that the use of the property as an STL, with a maximum occupancy of two people would not cause significant harm to either the character or amenity of the area, in accordance with Policy 30(e)(i) of NPF4 and Policy H1 of the ALDP.

#### Provision of Short Term Let tourist accommodation and local economic benefits

Policy VC2 (Tourism and Culture) of the ALDP states that:

*‘Proposals for new, or expansion of existing, visitor attractions and facilities capable of strengthening the appeal and attraction of Aberdeen to a wide range of visitors will be supported.*

*Proposals should complement existing visitor facilities and be sequentially located in the city centre, or on a site allocated for that use in this Plan, unless activity and locality specific issues demonstrate that this is impracticable.’*

The use of the property as an STL offers a different type of visitor accommodation to hotels and guesthouses that can be more attractive for certain visitors, particularly families and business travellers / contract workers who may be staying in the city for several weeks. The Scottish Government’s publication on ‘Short Term Lets: Business and regulatory impact assessment’ from November 2021 states:

*‘Short-term lets make an important contribution to the tourist economy because they can:*

- a) offer visitors a unique tourist experience through a host's local knowledge, increasing the*

*attractiveness of Scotland as a place to visit,*

- b) offer accommodation in places not served by hotels and hostels, for example, and therefore help with dispersal of visitors from "hotspot" areas,*
- c) offer more affordable accommodation, helping to attract tourists that may have a lower budget, and*
- d) provide additional capacity to accommodate tourist or other visitor demand in areas with a high demand over a short period of time (for example, to accommodate tourists during the Edinburgh Festival or the Open golf tournament).'*

Although it is not possible to precisely quantify or demonstrate the local economic benefits that would be derived from the use of the application property as an STL, as required by Policy 30(e)(ii) of NPF4, given the likely use of the property by tourists and/or business travellers it is envisaged that customers of the property would be likely to spend money in the local tourism and hospitality sectors, to the benefit of those businesses. This is backed up in general terms by the Scottish Government's 'Research into the impact of short-term lets on communities across Scotland' publication, produced in October 2019, which states in Key Findings - Chapter 5:

*'The positive impacts of STLs most commonly identified related to the local economic impacts associated with the tourism sector.'*

Given that the proposal would comprise a tourism facility that would not be in the city centre, the proposal would have tensions with Policy VC2 (Tourism and Culture) of the ALDP. In assessing the magnitude of this tension, the site lies a relatively short distance (c. 80 m) from the Holburn Neighbourhood Centre and along this centre of local shops and cafes, sits the city centre boundary c. 500 m to the north and customers of the STL would therefore be within walking distance of many businesses and amenities in the immediate vicinity as well as the city centre which is readily accessible via a 5 minute walk.

Representations have noted that there is existing accommodation in the West End for short-term accommodation (*issue 9*). While there are hotels and guest houses on, for example, Great Western Road, this type of short-term let accommodation can offer an alternative type of accommodation for visitors and generally, there is not considered to be an overprovision or clustering of this type of accommodation in the immediate vicinity. As the location would be in a suitable location for tourist accommodation, lying just outside of the city centre, it would be acceptable. It is therefore considered that the use of the property as an STL is compliant with the aims of Policy VC2 of the ALDP, if not strictly compliant with its wording.

#### Local Housing Need and Demand

Housing stock has been raised as a concern in the representations (*issues 6 and 8*). In relation to impacts on local housing need and demand, the Council's Short-Term Lets APG states:

*'Although the most recent Housing Need and Demand Assessment (HNDA) has demonstrated a need for new open market housing in Aberdeen, and that there is also a significant need for more affordable housing, there is not currently understood to be any significant additional pressure placed on local housing need by the conversion of existing residential accommodation to STLs in the City. In this respect, the situation in Aberdeen is different from other areas of Scotland where the number of STLs has placed significant pressure on the availability and affordability of housing (for example in Edinburgh and parts of the Highlands and Islands). At present, the loss of*

*residential accommodation resulting from changes of use to STLs is therefore considered unlikely to have any significant detrimental impact on local housing need within Aberdeen.*

The Aberdeen City Council Communities, Housing and Public Protection Committee declared a housing emergency in Aberdeen on 5 September 2024, with an action instructed to commit to the creation of a Housing Emergency Action Plan to develop solutions to resolve it. To date, there has been no revision to the Short-Term Lets APG following this declaration. There is no guidance within the declaration itself regarding its application in relation to the change of use of existing mainstream residential properties to STLs, nor has any been issued at the time of writing. Because of this, at the time of the determination of this application, minimal weight can be placed on the declaration relative to the other material planning considerations, notably the Development Plan and the adopted Aberdeen Planning Guidance.

In relation to the duration of planning permissions for Short Term Lets, the Scottish Government Circular 1/2023 (Short-Term Lets and Planning) notes that:

*‘4.14 Planning authorities can impose a condition when granting planning permission to require the permitted use to be discontinued after a specified period – this is known as “planning permission granted for a limited period”.*

*4.15 Planning authorities may consider applying a discontinuation condition of 10 years, or such other time period as they consider appropriate, when granting planning permission for short term letting in a control area (or outside, if they see fit).’*

The grant of planning permission for the use of the property as STL accommodation on a permanent basis would result in the loss of residential accommodation in a residential area on a permanent basis. As such, it is considered necessary in this instance to grant planning permission for a time-limited period of five years, which is the time period between the publication of Housing Need and Demand Assessments:

- To ensure that local housing need, demand and supply can be considered for any future applications for the continued use of the property as STL accommodation;
- To allow for the site to be automatically returned to residential use upon the expiry of the permission (unless a new consent is granted in the meantime); and
- To further consider the demonstrable local economic benefits of its use as an STL at the time of any further planning application.

Such a condition would ensure that the proposals are generally compliant with the aims of Policy 30(e)(ii) of NPF4.

### **Transport & Accessibility**

Policy 13 (Sustainable Transport) of NPF4 and Policy T2 (Sustainable Transport) of the ALDP both promote and encourage the use of sustainable and active modes of travel where possible, as opposed to private vehicle trips. Policy T3 (Parking) of the ALDP is supportive of low or no car development in suitable locations where there is adequate access to active travel and public transport options.

The application property is situated 500 m from the city centre boundary and is within suitable walking distance to the city centre and the main train and bus stations. The site is also within 200 m of a bus route into the city centre. As such, it is well connected by public transport to visitor

attractions and transport nodes. There are no off-street parking places for the application property and there are no other parking controls on Holburn Road.

Parking has been raised as an issue in representations, namely that parking challenges would be worsened, leading to further congestion, blocked driveways and safety issues for pedestrians (*issue 7*). It is considered that the STL, with a maximum occupancy of two people, would likely generate a similar level of car parking demand in comparison to the current mainstream residential use. Nevertheless, it is anticipated that a significant proportion of customers staying at the property on a short-term basis could reasonably be expected to arrive in the city by train or bus and access the property sustainably, not generating any traffic or requiring any car parking. Roads Development Management have raised no concerns with the proposed use in relation to parking.

The concerns relating to potential inconsiderate parking is not considered to adversely impact on the amenity of the surrounding area. It is possible for both residents and guests to park considerately or inconsiderately irrespective of the street context, with guests being expected to follow the same standard of parking to avoid blocking driveway as other road users.

The proposals are therefore compliant with Policies 13 of NPF4 and T2 and T3 of the ALDP. It further would be considered to meet the requirement for places to be easy to move under Policy D1 of the ALDP, bringing it into accordance with that policy and Policy 14 of NPF4.

## **Waste Management**

Policy 12 (Zero Waste) of NPF4 and Policy R5 (Waste Management Requirements for New Development) of the ALDP both require developments that generate waste and/or recyclables to have sufficient space for the appropriate storage and subsequent collection of that waste and recyclable materials.

Although the property would be a business and would therefore not pay Council Tax, customers of the STL would be able to utilise existing domestic general waste and mixed recycling bins situated on the site. Should the applicant wish to utilise the existing communal domestic bins then the Council's Waste & Recycling Service have advised that the property could utilise the existing, subject to the applicant paying a financial contribution towards the collection of the waste, via a business waste contract with the Council, in lieu of not paying Council Tax. Therefore waste and recyclables generated by the customers of the property can be adequately stored and collected and an advisory note is recommended for the applicant to be aware of in relation to entering into the required business waste contract with the Council. The proposals are therefore acceptable in accordance with Policies 12 of NPF4 and R5 of the ALDP.

## **Tackling the Climate and Nature Crises, Climate mitigation and Biodiversity**

Policy 1 (Tackling the Climate and Nature Crises) of NPF4 requires significant weight to be given to the global climate and nature crises in the consideration of all development proposals. Policy 2 (Climate Mitigation and Adaptation) of NPF4 requires development proposals to be designed and sited to minimise lifecycle greenhouse gas emissions as far as possible, and to adapt to current and future risks from climate change. Policy 3 (Biodiversity) of NPF4 requires proposals for local development to include measures to conserve, restore and enhance biodiversity, proportionate to the nature and scale of development.

The proposed development, comprising the change of use of an existing property, with no associated external alterations, is sufficiently small-scale such that it would not make any material difference to the global climate and nature crises nor to climate mitigation and adaptation, nor are there any opportunities to minimise greenhouse gas emissions given the nature of the proposals.

Therefore, the proposals are compliant with Policies 1 and 2 of NPF4. The proposed development would be wholly internal, small-scale and does not offer the opportunity for any biodiversity gain and the proposals are thus considered to be acceptable, despite some minor tension with Policy 3 of NPF4.

## **RECOMMENDATION**

Approve Conditionally

## **REASON FOR RECOMMENDATION**

Due to the stated maximum occupancy of two people, the layout of the shared building and the context of the surrounding area, it is considered that its use as Short Term Let (STL) accommodation would not have a significant adverse impact on the character or amenity of the area, nor on the amenity of the immediate neighbouring properties within the application building, beyond what could typically be expected if it were to be used as mainstream residential accommodation, in accordance with Policy H1 (Residential Areas) of the Aberdeen Local Development Plan 2023 (ALDP). The property's use as an STL would likely provide some local economic benefits, potentially to the tourism and hospitality sectors, as it is within walking distance to the city centre through the adjacent Holburn Neighbourhood Centre, without causing any significant harm to local housing need through the loss of residential accommodation, in accordance with Policy 30 (Tourism) of National Planning Framework 4 (NPF4).

The development would provide tourist accommodation within walking distance of the city centre and to the adjacent Holburn Neighbourhood Centre, in accordance with Policy 13 (Sustainable Transport) of NPF4 and Policy T2 (Sustainable Transport) of the ALDP. The development would have access to on-street parking and be accessible via active and public transport links which is considered acceptable in accordance with Policy T3 (Parking) of the ALDP. The STL would be sited within walking distance of the city centre, and to local shops and amenities in the Holburn Neighbourhood Centre which would be readily accessible via sustainable and active modes of travel. Therefore the proposed development is considered to be acceptable despite some minor tension with Policy VC2 (Tourism) of the ALDP.

The development has sufficient means for the adequate storage and collection of any waste and recyclables generated, in accordance with Policy 12 (Zero Waste) of NPF4 and Policy R5 (Waste Management Requirements for New Development) of the ALDP.

The proposed development, comprising the change of use of an existing property, with no associated external alterations, is sufficiently small-scale such that it would not make any material difference to the global climate and nature crises nor to climate mitigation and adaptation, nor are there any opportunities to minimise greenhouse gas emissions given the nature of the proposals, therefore the proposed development is compliant with Policies 1 (Tackling the Climate and Nature Crises) and 2 (Climate Mitigation and Adaptation) of NPF4. There is no opportunity to enhance on-site biodiversity, therefore the proposals are acceptable, despite some minor tension with Policy 3 (Biodiversity) of NPF4.

## **CONDITIONS**

(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.

## (2) TIME LIMIT FOR SHORT-TERM LET USE

The hereby approved use of the property as Short-Term Let accommodation shall expire 5 years following the date of the grant of permission as stated on this notice, unless a further planning permission has been granted for continued use of the property as Short-Term Let accommodation in the meantime. Should no further planning permission be granted then the property shall revert to mainstream residential use as a flat after the aforementioned 5-year period.

Reason: In order to allow the local housing need and demand situation and the local economic benefits derived from the use of the property as a Short Term Let to be reassessed in 5 years' time, to ensure that the loss of the property as residential accommodation would remain compliant with Policy 30 of NPF4.

## **ADVISORY NOTES FOR APPLICANT**

### (1) COMMERCIAL USE OF COMMUNAL DOMESTIC STREET BINS

As Short Term Let accommodation comprises a commercial use, business rates are payable by the operator, rather than Council Tax. In the absence of a Council Tax payment which would cover the cost of the collection of waste from the on-street bins, the operator is required to enter into a contract with Aberdeen City Council's Business Waste & Recycling team, to enable the lawful use of the on-street bins by customers of the property, if they haven't done so already.

Further information is available on the Council's website at:

<https://www.aberdeencity.gov.uk/services/bins-waste-and-recycling/business-waste>

The operator can contact the Council's Business Waste & Recycling team at:

[businesswaste@aberdeencity.gov.uk](mailto:businesswaste@aberdeencity.gov.uk)



	<b>Planning Development Management Committee</b>
	Report by Development Management Manager
	<b>Committee Date:</b> 04 December 2025

<b>Site Address:</b>	99 Westburn Road, Aberdeen, AB25 2SG
<b>Application Description:</b>	Change of use from physiotherapy practice [class 1A (shops, financial professional and other services) use] to cafe / hot food takeaway [mixed class 3 (food and drink) use and sui generis use]
<b>Application Ref:</b>	250319/DPP
<b>Application Type</b>	Detailed Planning Permission
<b>Application Date:</b>	2 April 2025
<b>Applicant:</b>	Aadhantamil Ltd
<b>Ward:</b>	Mid Stocket/Rosemount
<b>Community Council:</b>	Rosemount and Mile End



## **RECOMMENDATION**

Approve Conditionally

## **APPLICATION BACKGROUND**

### **Site Description**

The premises forms part of the ground floor and basement of a 2½ storey granite tenement building of Victorian origin. It has been vacant since April 2024 and previously used as a physiotherapy practice. It is accessed from a door at the north-west corner of the building and has windows facing onto both Westburn Road and Watson Street frontages. There is no external space, although there is adjacent communal garden ground to the east of the building accessed from Westburn Road via a gate. The existing premises comprises three treatment rooms and a reception and was historically used as a corner shop. There is separate access to the upper floor flats and adjacent flats. The surrounding area is largely residential in nature with commercial uses concentrated on Rosemount Place. Victoria Park is located to the west of the site, across Watson Street. The site is located within the Rosemount and Westburn Conservation Area.

### **Relevant Planning History**

- 902307 - Planning permission for change of use of the premises from a flat to a physiotherapy practice was granted conditionally by Planning Committee in 1991 and was implemented.
- 061887 – Planning permission for variation of condition 1 of the above approval was granted using delegated powers in 2006.
- 240629/S42 – Planning permission for removal of condition 1 of planning approval 061887 was granted using delegated powers in 2024.

## **APPLICATION DESCRIPTION**

### **Description of Proposal**

Change of use is sought to form a mixed use café and hot food take-away. No external works to the building which require planning permission are proposed. Ventilation ducting from the kitchen would terminate in a louvre located on the external south (rear) wall of the building at ground level. The existing access arrangements would be retained. Customer seating, associated access and toilet would comprise the majority of the ground floor area. The kitchen / storage area would be located at the east end of the site and public area located at the west end with windows on both street elevations. The basement would be used for ancillary storage. The proposed operating hours are 07.00-19.00 on Monday to Saturday and 09.00-17.00 on Sunday. The proposed hot food items offered would be limited to sausage rolls, paninis, oven chips and soups, heated using a domestic oven/hob (electric), microwave oven and air fryer. Sale of cold food (sandwiches), cakes and ice cream for consumption on and off the premises would also be undertaken.. Refuse storage is proposed within the communal garden ground of the tenement, accessed via a gate onto Westburn Road. Cycle parking is proposed at the frontage of the site on an unadopted part of the pavement facing Watson Street.

### **Amendments**

- Cycle parking provided

### **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=STOK5YBZHD100>

- Noise Report
- Odour Assessment
- Planning Statement

### **Reason for Referral to Committee**

The application has been referred to the Planning Development Management Committee because,

- in excess of 6 objections have been received and the recommendation is approval, and
- the concerns expressed by the Community Council constitute an objection and the recommendation is approval.

Determination of the application therefore falls outwith the scheme of delegation.

### **CONSULTATIONS**

#### **Aberdeen City Council (ACC) Internal Consultees**

- **ACC - Environmental Health** – No objection. Accept the proposed noise and odour mitigation measures set out in the supporting technical reports. Recommend operating time restrictions to protect residential amenity, such that the premises would not operate outwith 07:00 to 19:00 hours from Monday to Saturday and 09:00 to 17:00 hours on Sunday.
- **ACC - Roads Development Management Team** – No objection. Advise that the site lies within a controlled parking zone and the proposal is likely to result in low reliance on private car trips. Advise that the proposed cycle parking on the Watson Street frontage is acceptable and does not conflict with pedestrian desire lines. Advise that the location of proposed bin storage is acceptable.
- **ACC - Waste and Recycling** – No objection. Advise that the refuse storage (4 domestic size wheelie bins located with the communal garden) is appropriate.

#### **External Consultees**

- **Scottish Water** – No objection. For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation area to prevent food waste, fat oil and grease from being disposed into sinks and drains. The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 5kg of food waste per week, to segregate that waste for separate collection.
- **Rosemount and Mile End Community Council** – Express concern regarding hours of operation (potential late night operation) and the nature of hot food provision.

### **REPRESENTATIONS**

Nine representations have been received (six objections, one in support and two neutral). Neighbours were renotified on 27 June 2025 following receipt of further supporting information. Two additional representations were received from residents who had previously objected. The matters raised can be summarised as follows –

### **Material Considerations**

1. Disturbance to and conflict with residential amenity and character due to noise and odour impact and potential late night opening
2. Conflict with Harmony of Uses Aberdeen Planning Guidance
3. Increased parking pressure and traffic generation
4. Safety impact of delivery drivers and e-bikes on pedestrians and children
5. Waste and litter generation
6. Adverse impact on Victoria Park and the historical importance of the building
7. Visual impact of the ventilation flue
8. Lack of information regarding hours of operation, menu and noise and odour impact
9. Site is outwith a retail centre
10. Use of communal garden
11. Light disturbance
12. Creation of an adverse precedent
13. Overprovision of café / food premises in the area
14. The use would provide a supporting and complementary service in relation to the functioning of nearby parks

### **Non material planning considerations**

1. Fire risk

Whilst the proposed commercial kitchen and associated electrical appliances results in an element of fire risk, that is a matter which is governed by other (non-planning) legislation, is a matter which would be for the operator, Building Standards and Scottish Fire and Rescue Service to consider.

## **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.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires the planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

### **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.

- Policy 1 (Tackling the Climate and Nature Crises)

- Policy 3 (Biodiversity)
- Policy 7 (Historic Assets and Places)
- Policy 9 (Brownfield, Vacant and Derelict Land and Empty Buildings)
- Policy 12 (Zero Waste)
- Policy 13 (Sustainable Transport)
- Policy 15 (Local Living and 20 Minute Neighbourhoods)
- Policy 23 (Health and Safety)
- Policy 27 (City, Town, Local and Commercial Centres)

#### Aberdeen Local Development Plan 2023

- Policy D6 (Historic Environment)
- Policy D7 (Our Granite Heritage)
- Policy H1 (Residential Areas)
- Policy NE3 (Our Natural Heritage)
- Policy R5 (Waste Management Requirements for New Developments)
- Policy T2 (Sustainable Transport)
- Policy T3 (Parking)
- Policy VC3 (Network of Centres)
- Policy VC9 (Out of Centre Proposals)
- Policy VC10 (Local Shop Units)
- Policy WB1 (Healthy Developments)
- Policy WB2 (Air Quality)
- Policy WB3 (Noise)

#### **Aberdeen Planning Guidance**

- Air Quality
- Harmony of Uses
- Health Impact Assessments
- Hierarchy of Centres
- Noise
- Resources for New Development
- Transport & Accessibility
- Waste Management Requirements for New Developments

#### **Other National Policy and Guidance**

- Local living and 20 minute neighbourhoods: planning guidance.

#### **Other Material Considerations**

- Rosemount and Westburn Conservation Area Character Appraisal

### **EVALUATION**

#### **Key Determining Factors**

- Principle of Development

- Residential Amenity Impacts
- Impact on Existing Designated Centres
- Overprovision of Similar Uses
- Health Impact
- Traffic Impact
- Refuse Storage and Litter
- Heritage Impact

## Principle of Development

As the proposal relates to a vacant brownfield site, re-use of the premises accords with the objectives of Policy 9 within National Planning Framework 4 (NPF4). NPF4 Policy 15 encourages development which contributes to local living, including 20 minute neighbourhoods. Associated Scottish Government planning guidance regarding local living and 20 minute neighbourhoods is intended to assist and support planning authorities, communities, businesses, and others who have key roles in helping to deliver local living. It was published in April 2024 and states that:

“Local living provides people with the opportunity to meet the majority of their daily needs within a reasonable distance of their home. It is centred on supporting people to ‘live well locally’.... “Development proposals should be designed with consideration of the impacts on local living overall and take action to address negative impacts that may otherwise happen.”

The provision of complementary commercial uses within a residential area accords with the intent of NPF4 Policy 15 and related guidance. The uses would provide a supporting and complementary service in relation to the functioning of nearby public parks where there are no equivalent café facilities (*issue 14 in representations*). The overall acceptability of the proposal is dependent on demonstration that there would be no adverse impact on residential amenity in order to comply with ALDP policy H1. This is addressed below.

## Residential Amenity Impacts

Whilst the site lies within an established residential area, ALDP H1 Policy does not preclude the introduction of non-residential uses within residential areas. Given that cooking and takeaway of food from the premises would form limited elements of the business, with the café use being the primary element, there would be limited scope for adverse impacts on adjacent residential occupants and the wider amenity of the surrounding area. Conditions can be imposed to ensure implementation of the proposed noise control and odour control measures (*issue 1*), restrict the operating hours of the premises as proposed and ensure provision of waste storage facilities adjacent to the site in order to protect adjacent residential amenity and in accordance with the objectives of NPF4 Policies 12 and 23 and ALDP Policies H1, WB2, WB3 and R5 and related guidance. As regards compliance with ACC Harmony of Uses APG (*issue 2*), the relevant impacts on amenity are acceptable.

There are no relevant planning policies which specifically address the impact of light pollution, although that is referred to in annex D of NPF4 and ALDP Policy D1. No external lights are proposed as part of the works. The proposal would not therefore result in a material change to light levels in the surrounding area or creation of light pollution to residents (*issue 11*). The impact of enhanced ambient lighting of the adjacent public pavements due to the use of the premises and the extent of glazed windows on the frontages, would, in effect, provide a public benefit and increased perception of public safety.

## **Impact on Existing Designated Centres and Retailing**

The site lies outwith any designated retail or commercial centre as identified in the ALDP and Hierarchy of Centres APG (*issue 9*). Thus, there is a degree of tension with the intent of NPF4 Policy 27 and ALDP Policy VC3. However, the proposal would provide a complementary service to the wider residential area and nearby parks and is of small scale. The authorised use of the premises within use class 1A would generate a similar level of footfall to the proposed uses and raises similar locational concerns. Given the authorised use of the premises, its limited scale and thus limited footfall generation, there would be no conflict with ALDP Policy VC9. The proposal satisfies the criteria set out in ALDP Policy VC10 as:

1. The premises was not previously used as a shop, there is no evidence of demand for its use for exclusively retail purposes and the proposal includes an element of retailing;
2. The proposed use is likely to cater for a local catchment;
3. The proposal would create active street frontages;
4. It has been demonstrated that there is no conflict with the amenity of the neighbouring area.

Given the compliance with ALDP Policy VC9, the limited conflict with the objectives and intent of NPF4 Policy 27 and ALDP Policy VC3 does not warrant refusal.

## **Overprovision of Similar Uses**

The site does not lie within the city centre, or a designated centre and does not affect the character and amenity of the neighbouring area or any commercial uses. Subject to imposition of conditions, there would be no significant adverse impact on residential amenity. Given that there are no similar uses in the vicinity, the mixed use nature of the proposal and that other cafes / food premises lie considerable distance from the site (for example, some 300m to 540m away on Rosemount Place), the proposal does not result in an overprovision of such premises in the local area (*issue 13*) or conflict with the overprovision aspect of Harmony of Uses APG.

## **Health Impact**

The premises does not lie within a disadvantaged area as identified in Health Impact Assessment APG. Given the mixed use nature of the proposal and the limited size of the premises, it would have no substantive effect on community health and wellbeing. Thus there is no tension with NPF4 policy 27 part c) i. Given the above factors and that there is limited potential for human health impacts, there is no requirement for submission of a health impact assessment and no conflict with the objectives of ALDP policy WB1 and Health Impact Assessment APG.

## **Traffic Impact**

The authorised use of the premises is for a purpose falling within use Class 1A. The proposed use would result in similar traffic generation in terms of car trips. The site has good connectivity to wider residential areas and public transport. Thus there is no conflict with NPF4 Policy 13 or ALDP Policy T2. Whilst some customers may choose to drive to the site and park in the surrounding area, that is also a similar risk associated with the authorised use of the premises. Given that the site lies within a controlled parking zone and that the operational hours of the premises would coincide with parking controls there is limited risk of increased anti-social car parking such as pavement parking (*issue 3*). A condition is proposed to require implementation of the proposed visitor cycle parking in accordance with the expectations of NPF4 Policy 13, ALDP Policy T3 and Transport & Accessibility APG. Notwithstanding that in recent years there has been an increased

tendency for deliveries to customers to be made using e-bikes (*issue 4*), that could also occur if the property was to become a shop, for example, which falls within the existing authorised use class of the premises. Delivery companies now also offer home delivery of retail goods. With this in mind, the potential for home deliveries associated with the proposed use does not therefore warrant refusal.

### **Refuse Storage and Litter**

The proposed provision of wheelie bins within the communal garden is accepted by ACC Waste Service and ACC Roads. Whilst the refuse storage arrangements are dependent on use of a communal garden area (*issue 10*), that would continue an existing arrangement with other owners and is a separate legal matter. As no physical waste storage facilities are required and the existing bin storage area is screened by the existing garden boundary wall there is no need for imposition of a condition in relation to the expectation of NPF4 Policy 12 and ALDP Policy R5.

Whilst the proposed take-away element of the proposed use results in a risk of litter generation (*issue 5*), there are public bins in the surrounding area, including adjacent public parks and on Rosemount Place, where customers may be likely to walk to. No additional public refuse bins have been requested by ACC Waste Service. In order to minimise the risk of litter generation associated with the take-away elements of the proposal, a condition is proposed requiring provision of litter and recycling bins adjacent to the site for the use of customers.

### **Heritage Impacts**

Given that no external works are proposed, other than cycle parking, the proposal would have a neutral impact on the character of the building and wider conservation area (*issue 6*). There would be no impact on the character or setting of the nearby Victoria Park which contains a number of listed features. Thus it would accord with the intent of NPF4 Policy 7 and ALDP Policy D6. Active re-use of part of a granite building accords with the intent of ALDP policy D7. No external flue is proposed (*issue 7*). As the ventilation louvre would be on a rear elevation and would be not be visible from any public place, it has no effect on heritage assets or visual amenity.

### **Climate / Nature Crises**

Notwithstanding the expectations of NPF4 Policies 1 and 3 and ALDP Policy NE3, given that no physical development is proposed, it would be unreasonable to require the development to address biodiversity or climate change matters. Any such policy tension therefore does not warrant refusal in this instance.

### **Other Matters Raised in Representations**

Lack of Information – Further information has been submitted by the agent regarding odour and noise impact, hours of operation and menu items and is adequate to assess the relevant impacts of the development (*issue 8*).

Precedent – Given that the premises would operate on a mixed use basis, with limited hot food provision, rather than as a hot food take-away with late night use, approval of the proposal would not create an undesirable precedent for such a use (*issue 12*).

### **ADMINISTRATIVE MATTERS**

Renotification of neighbours and further consultation with statutory consultees has been



undertaken due to the submission of further technical supporting information.

## **RECOMMENDATION**

Approve Conditionally

## **REASON FOR RECOMMENDATION**

The site is located within an accessible residential area and thus accords with the objectives of Policy 13 (Sustainable Transport) and Policy 15 (Local Living and 20 Minute Neighbourhoods) within National Planning Framework 4 (NPF4) and associated National Planning Guidance regarding local living as it would provide a supporting service for nearby residents and park users. Subject to imposition of conditions to regulate the uses and their potential adverse impacts on amenity, there would be no conflict with NPF4 Policy 23 (Health and Safety) and Policy H1 (Residential Areas), Policy WB2 (Air Quality) and Policy WB3 (Noise) within the Aberdeen Local Development Plan 2023 (ALDP) and related guidance. As regards ACC Harmony of Uses Aberdeen Planning Guidance, there would be no significant adverse impacts on residential amenity. Re-use of vacant granite premises accords with the objectives of NPF4 Policy 9 (Brownfield, Vacant and Derelict Land and Empty Buildings) and ALDP Policy D7 (Our Granite Heritage). As no external works affecting the character of the Rosemount and Westburn Conservation Area are proposed its character and appearance would be preserved and there is accordance with NPF4 Policy 7 (Historic Assets and Places) and ALDP Policy D6 (Historic Environment). There is no conflict with Policy 27 (City, Town, Local and Commercial Centres) part c) and ALDP Policy WB1 (Healthy Developments). Although there is conflict with the objectives and intent of NPF4 Policy 27 (City, Town, Local and Commercial Centres), the proposal accords with Policy VC10 (Local Shop Units). There is no conflict with ALDP Policy VC9 (Out of Centre Proposals). As the proposal does not result in increased car parking provision and appropriate cycle parking is proposed, there is accordance with NPF4 Policy 13, ALDP Policy T2 (Sustainable Transport) and Policy T3 (Parking). The traffic, road safety and other concerns raised in objection do not warrant refusal given that the relevant Council statutory consultees have no objections. Suitable refuse storage is available in accordance with NPF4 Policy 12 (Zero Waste) and ALDP Policy R5 (Waste Management Requirements for New Development). The conflict with NPF4 Policy 1 (Tackling the Climate and Nature Crises) and Policy 3 (Biodiversity) and ALDP Policy NE3 (Our Natural Heritage) and Policy VC3 (Network of Centres), does not warrant refusal.

## **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) ODOUR MITIGATION**

The use hereby authorised shall not take place unless evidence has been provided to the planning authority that the specific odour mitigation measures identified in the approved kitchen ventilation report (TKM Ventilation Services, 29th July 2025) have been implemented in full. The approved

use shall not operate unless the approved measures are thereafter retained. For the avoidance of doubt, the following specific measures are required:

- Wall mounted extract canopy located directly above cooker;
- Canopy to include baffle type filters (washable);
- Rigid extract ductwork routed to the exterior of the building incorporating sufficient access panels, or ability to demount ductwork sections, to permit cleaning;
- New carbon filter unit for removal of grease and odour. Carbon filter to have a minimum dwell time of 0.2 seconds. Suitable access will be required to the filter unit;
- In-line extract fan;
- Exhaust to atmosphere via weather louvre at rear of building;
- Fresh-air make-up via ducted system with filter/fan;
- Both supply and extract fans operated via speed controllers.

Reason - In order to protect the existing residential amenity of the neighbourhood.

### (03) NOISE MITIGATION

The use hereby authorised shall not take place unless evidence has been provided to the planning authority that the specific noise mitigation measures identified in the approved noise impact assessment (Vibroack, 23rd October 2025 [Ref: R25.12738/1/IK/Let1]) have been implemented in full. The approved use shall not operate unless the approved measures are thereafter retained. For the avoidance of doubt, the following specific measures are required:

- The Local Extract Ventilation (LEV) intake/extract are located as shown in Figure 1 of the report;
- The LEV shall have an intake/extract fan with equivalent (or lower) noise emissions than the In-line TD-500/150-160 Silent 3V Fan (Table 1);
- The LEV intake/extract shall be fitted with a silencer that provides (as a minimum) the dynamic insertion loss values shown in Table 2 of the report;
- The suspended ceiling shall be upgraded in accordance with the Planning Statement (LAS Architecture, June 2025) – “replace the existing plasterboard on the lowered ceiling with 15mm thick British Gypsum fire / acoustic plasterboard, together with 100mm thick Knauf acoustic insulation above”.

Reason - In order to protect the existing residential amenity of the neighbourhood.

### (04) CYCLE PARKING

The use hereby authorised shall not take place unless the cycle stands identified in the approved site plan (ref. LAS24079-04D) have been implemented in full. The approved use shall not operate unless the approved stands are thereafter retained.

Reason - In order to encourage sustainable transport.

### (05) LITTER / RECYCLING BINS

The use hereby approved shall not take place unless litter and recycling bins have been provided for the use of customers of the premises on the external area at the Watson Street frontage of the site.

Reason – In order to preserve the amenity of the neighbourhood and reduce risk of litter generation.

## (06) HOURS OF OPERATION

The premises shall not be open for business outwith the hours of 07.00-19.00 on Monday to Saturday and 09.00- 17.00 on Sundays.

Reason - In order to protect the existing residential amenity of the neighbourhood.

## **ADVISORY NOTES FOR APPLICANT**

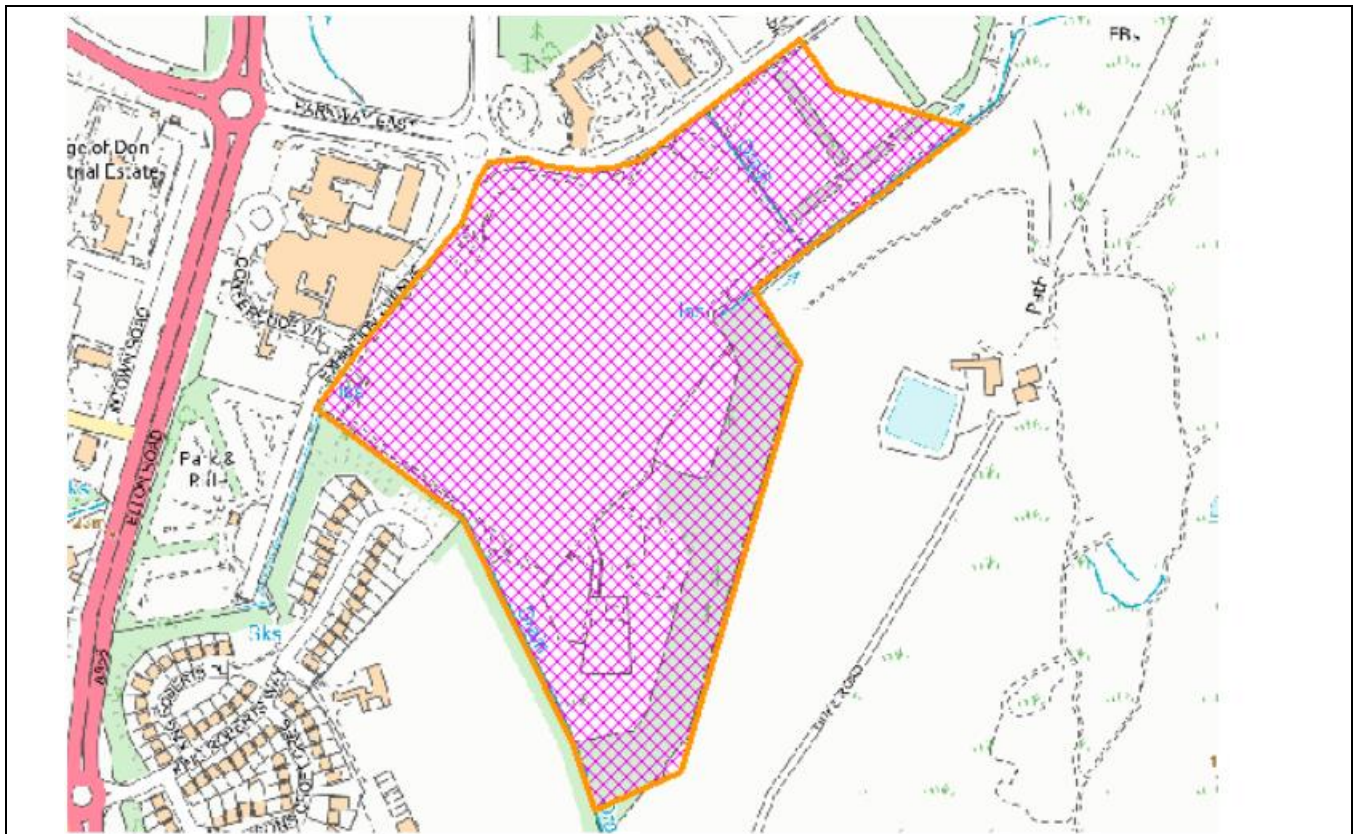
### 1. Odour Management

It is recommended that the operator of the premises establishes a written Odour Management Plan including cleaning and maintenance procedures for the plant (based on extent of use) in accordance with manufacturers guidelines and recommendations in Section 5.3.10 of the Odour Assessment (TKM Ventilation Services, 29th July 2025) in order to reduce risk of malodour and statutory nuisance

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	<b>Planning Development Management Committee</b>
	Report by Development Management Manager
	<b>Committee Date: 4 December 2025</b>

<b>Site Address:</b>	Former Aberdeen Exhibition And Conference Centre, Exhibition Avenue, Aberdeen AB23 8BL
<b>Application Description:</b>	Approval of matters specified in conditions 1 (phasing),2 (design),2a (levels),2b (drainage),2c (foul water connection),2d (cut/ fill),2e (roads),2f (walls/fences),2g (landscaping),2h (layout, siting, design, finish),2j (waste collection),3 (landscaping),4 (access),5 (safe routes to schools),8 (travel plan),9 (framework of travel plan),11 (public transport strategy),12 (flooding),13 (waterways),13 (CEMP),14 (SUDS),15 (drainage maintenance),16 (street design),17 (air quality assessment),19 (protected species),20 (archaeology),21 (energy/sustainability),22 (tree protection),23 (tree management),24 (green belt zone) in relation to Planning Permission in Principle (ref P150824) for erection of 333 homes and associated works
<b>Application Ref:</b>	240850/MSC
<b>Application Type</b>	Approval of Matters Specified in Cond.
<b>Application Date:</b>	19 July 2024
<b>Applicant:</b>	Persimmon Homes (North Scotland) And Aberdeen City Council
<b>Ward:</b>	Bridge Of Don
<b>Community Council:</b>	Bridge Of Don



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**RECOMMENDATION:** Approve conditionally

## **APPLICATION BACKGROUND**

### **Site Description**

The irregularly shaped site is just under 14.23 hectares, lying approximately 5 miles north of Aberdeen city centre. Previously occupied by the Aberdeen Exhibition and Conference Centre and associated car parking, the site is accessed off Exploration Drive, which joins Ellon Road (A92) at the Parkway roundabout. A former satellite communications centre, and areas of plantation and self-seeded planting, including tree belts, lie mainly around the site boundaries. The site is cleared following demolition of the main AECC buildings and largely comprises areas of hardstanding formerly used for parking.

The site is bounded to the west by Exhibition Avenue and to the north by Exploration Drive. The King's Church building with coffee bar and associated car parking and Belvilla Hotels with associated car park including decked parking adjacent to site boundary are on the opposite side of Exhibition Avenue. The former AECC building also includes office space for Sport Aberdeen and British Red Cross. To the southwest is the Bridge of Don Park and Ride, which is available for parking for people catching buses on Ellon Road, although is effectively disused. A residential area (King Robert's Way) and playing fields for Gordon Barracks lie to the south with a tree belt along the site boundary; the Royal Aberdeen Golf Course lies to the east, also separated by a tree belt and fence and beyond is the North Sea. Immediately to adjacent to the north end of the site is the recently built household waste and recycling centre, with re-use shop and workshop. In the wider area to the north is the Aberdeen Science and Energy Park including a café / sandwich shop opposite the application site. The former Silverburn House site to the northeast, diagonally across the Parkway East / Claymore Drive / Exploration Drive / Exhibition Avenue roundabout is under development by Cala Homes for sixty seven homes.

The site is around fourteen to twenty six metres above ordnance datum (AOD), sloping down to the east and south.

### **Relevant Planning History**

#### **Application Site:**

- 150824 Proposed demolition of existing buildings and erection of a mixed use development to include (approximately 498) residential units, commercial and business use, recycling centre and park and ride facility. Approved conditionally subject to legal agreement - 24 June 2021.

#### **Silverburn House Site to north west:**

- 191904/PPP - Erection of residential led, mixed use development of around 100 to 150 units (mix of house types and flats), including facilities consisting of up to 500 sqm of commercial floorspace (within classes 1(shops), 2(financial, professional and other services) and/or class 3(food and drink)) with associated works. Approved conditionally subject to S75 - 22 September 2022.
- 240839/MSC - Approval of matters specified in conditions 1 – 23 in relation to Planning Permission in Principle (Ref: 191904/PPP) for the erection of 67 homes, supporting infrastructure and open space. Approved 8 June 2024. Development under construction.
- 241301/MSC - Conditions 2a (siting design), 2j (landscaping, planting, screening) and 3 (landscaping information) amended landscaping proposals in relation to Planning Permission in Principle (Ref: 191904/PPP) for the erection of 67 homes, supporting infrastructure and open space. Approved 30 January 2025. Development under construction.

Site to north:

- 231516/DPP - Formation of household waste and recycling centre including a re-use shop and workshop, along with staff welfare facilities and associated works. Approved conditionally 7 June 2024. Development completed.

## **APPLICATION DESCRIPTION**

### **Description of Proposal**

This application is for the details required by conditions on the planning permission in principle (PPP) (Ref. 150824) approved in 2021. The current application relates to a smaller area than the PPP, as it excludes the land west of Exhibition Avenue that was proposed for commercial development through the PPP.

The proposed development would provide a total of 333 residential units. It is made up of 83 affordable dwellings (25%) and 250 (75%) open market dwellings. The proposed mix of open market and affordable dwelling sizes is set out as follows:

- 16 x 1 bedroom flats (all affordable)
- 62 x 2 bedroom units (42 private and 20 affordable, of these 16no. are affordable flats)
- 159 x 3 bedroom houses (128 private, 31 affordable)
- 96 x 4 bedroom houses (75 private, 16 affordable)

The houses range between single storey, two, and two and a half storeys, with the latter clustering more heavily along the external site boundaries facing onto Exhibition Avenue and Exploration Drive (to the north and west), as well as along principal roads to either side of the central area of the site. The site areas can be characterised as follows:

- Area of detached and semi detached houses within a conventional layout (with in curtilage parking) in the southern corner of the site bound by woodland to the east (golf course beyond) and west (with MOD playing fields – Gordon Barracks Army reserve centre beyond).
- At the southwest and north ends of the site are two groups each of around forty affordable units, including flats and a mix of mainly terraced houses.
- Within the central area of the site are a mix of houses within a hybrid layout. These mainly have parking to rear and footpaths to the front.

Housing within the southern area is generally larger units at a lower density than the remainder of the site.

The Silver Burn runs generally west to east through the site and is proposed to be 'daylighted' along an approximately 195m stretch, with two road links bridging the burn to access housing in the south eastern area. The burn would run within a naturalised channel with planting along the banks.

The linear woodland area to the east would largely remain, as would the tree belt along the southern site boundary. Alongside the eastern boundary there would be recreational enhancements such as a trim trail, footpaths, and a play area. Within the northern site area, some stretches of tree belt would remain whilst others would be lost for development.

Along Exploration Drive/Claymore Drive there is an existing avenue of trees alongside the footway, these would remain and a similar type of tree planting would be extended along the site boundary on Exhibition Avenue, opposite the rear of King's Church and the hotel buildings. Opposite the existing roundabout on Exploration Drive, the proposed housing would be set back, overlooking a landscaped area of public open space with footpaths, creating a focal entrance feature.

The main vehicular access would be formed off Exploration Drive, east of the roundabout, with two secondary access roads, one to the east and one from Exhibition Avenue to the west.

The PPP conditions applied for cover:

- 1 phasing
- 2 (design),2a (levels),2b (drainage),2c (foul water connection),2d (cut/ fill),2e (roads),2f (walls/fences),2g (landscaping),2h (layout, siting, design, finish),2j (waste collection),
- 3 (landscaping),
- 4 (access),
- 5 (safe routes to schools),
- 8 (travel plan),
- 9 (framework of travel plan),
- 11 (public transport strategy),
- 12 (flooding),
- 13 (waterways),
- 13 (CEMP),
- 14 (SUDS),
- 15 (drainage maintenance),
- 16 (street design),
- 17 (air quality assessment),
- 19 (protected species),
- 20 (archaeology),
- 21 (energy/sustainability),
- 22 (tree protection),
- 23 (tree management),
- 24 (green belt zone).

## **Amendments**

Various amendments have been made to the layout, house types, materials and parking following an iterative design process.

## **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=SGGK2ABZHMJ00>

Biodiversity Enhancement Plan

Flood Risk Assessment, Flooding Supporting Information, and statement in response to SEPA comments

Drainage Assessment

Appendix C drainage calculations



Technical Note on Safe Routes to School  
Travel Options Guide  
Outline Public Transport Strategy  
Noise Impact Assessment (NIA) and later Addendum Report  
Archaeology Supporting Letter  
Arboricultural Impact Assessment  
Tree Survey Report  
Energy and Sustainability Statement  
Design and Access Statement  
Play Strategy  
Construction Environmental Management Plan (CEMP)  
Preliminary Ecological Appraisal  
Statement of Community Benefits

### **Reason for Referral to Committee**

The application has been referred to the Planning Development Management Committee because:

- There is an objection from the Bridge of Don Community Council.

Determination of the application therefore falls outwith the scheme of delegation.

## **CONSULTATIONS**

### **Aberdeen City Council (ACC) Internal Consultees**

- **ACC - Developer Obligations** – A Section 69 agreement was entered into by the applicant of the earlier planning permission in principle which allowed for approximately 498 new homes along with some commercial uses on this site. Ahead of the grant of any further planning permission on this site a S75 should be entered into. The applicant is the prospective owner of the site and able to negotiate the S75 terms as per Clause 3 of the S69 agreement. Clause 5 of the S69 agreement expressly states that the planning obligations set out in any S75 for this development shall be consistent with the terms of the draft forming Part 2 of the S69 agreement. That draft S75 agreement sets out the package of measures associated with mitigating the impact of this development. The draft S75 allows for a per unit rate to be paid towards infrastructure mitigation along with a local transport infrastructure improvement payment which is to be paid prior to development commencing on the site. Affordable Housing should be provided as per the policy requirement at a minimum of 25% and an Affordable Housing Scheme submitted for agreement by the Council prior to development commencement.
- **ACC - Environmental Health** – CEMP is acceptable in terms of dust management and light. The NIA submitted by Sandy Brown on 6 March 2025 (025231-RO2-A) has been reviewed. Environmental Health are satisfied that the noise criteria requested by this Service will be met if all noise mitigation measures are implemented as per this Noise Impact Assessment. These measures are detailed in the Summary section of the report. The upgrades are only required in a limited number of properties near the church.

**ACC - Housing Strategy** – Affordable Housing Policy requires a 25% affordable housing contribution from all housing developments of 5 units or more. For developments of 20 units or more, the expectation is that the affordable housing will be delivered on-site.

The policy outlines the following preferred hierarchy of affordable housing types:

- i. Social rent housing at an affordable rent, usually managed by an RSL or the Council

- ii. Intermediate housing including shared ownership, shared equity, low-cost home ownership, low cost entry level housing without subsidy, or mid-market rent
- iii. Off-site provision of AH in one of the forms in i) or ii) on an alternative site
- iv. Other options an alternative form of AH as agreed with the Council.

Social rented accommodation is in greatest need; therefore, the affordable housing provision should be a minimum of 83 units provided on-site as social rent. The 0.25 should be provided as a commuted sum. The Strategic Housing Investment Plan as a requirement for a minimum of 15% of all affordable housing to be provided as wheelchair accessible. Therefore, a minimum of 13 affordable homes should meet this requirement.

- **ACC - Land And Property Assets** – No comments received.
- **ACC - Roads Development Management Team** – No objection. The following points are made:
  - Phasing plan acceptable in terms of access points.
  - Layout is acceptable follows revisions to avoid superfluous areas of hardstanding.
  - Street hierarchy is clear, with shared surface having no footways. Footways stop in suitable locations for pedestrians to move onto shared surfaces. Rumble strips used to highlight changes in street hierarchy.
  - Traffic calming build outs used on streets of more than 60m in length, this is appropriate.
  - Road widths and footways are 2m along general use roads and narrower where on lanes. This is suitable from a roads perspective. Paths used as bin routes have been widened to 2m.
  - Driveways are suitably located, generally these are grouped together to reduce width of continuous dropped kerbs.
  - Pend access indicates 'in' and 'out' which is acceptable.
  - Driveways and garages adhere to size requirements in APG.
  - Refuse collection points are at suitable distances from properties they serve.
  - Ellon Road footpath upgrades along site frontage are acceptable.
  - The existing pedestrian crossing on Ellon Road is proposed to be upgraded to a 'toucan crossing' and is accepted that there is not a need to re-locate it.
  - An additional dropped kerb crossing would be provided on Exploration Drive, near to the secondary access, and specifics of the crossing would be finalised as part of the RCC.
  - Existing bus stops are in suitable locations and are highly accessible.
  - Acceptable tactile crossings are proposed across the access to Park and Ride and at the crossing to the link to King Roberts Way.
  - Safer Routes to School measures are acceptable.
  - Travel Plan is acceptable and satisfies the requirements of conditions 8 and 9.
  - The provision of two car club spaces and cars would offset some of the parking shortfall and is accepted.
  - Public transport strategy considered acceptable.
  - The applicant is proposing to utilise both a swale and a detention basin, which provide mitigation indices in excess of the hazard indices.
  - Level of parking proposed, including disabled parking, is acceptable, given the car club cars.
  - Electric vehicle charging: this is accepted.
  - Visibility splays are to the satisfaction of the RDM Team and would be considered further at Roads Construction Consent stage.
  - Refuse vehicle swept paths have been submitted and are acceptable.

- Cycling on-street within the residential area (20mph) is acceptable. Footway on Ellon Road is to be widened to 3m and there is a bus, cycle and taxi land on Parkway East.
- **ACC - Structures, Flooding And Coastal Engineering** – No objection.
- **ACC - Waste And Recycling** – No objection subject to the application of double yellow lines within refuse vehicle turning areas.

#### External Consultees

- **Archaeology Service (Aberdeenshire Council)** – No objection, condition 20 is no longer required and should be discharged.
- **Bridge Of Don Community Council** – Objection, raising concerns about:
  - Traffic speed on A92 Ellon Road, that children need to cross to en route to school from the application site as well as new residential areas of Cloverhill and Silverburn – the limit is 40mph north of the roundabout and 30mph between Parkway and North Donside Road. It should be reduced to 20mph during school times with approximately 900 homes being built to the east of the road.
  - Children going to Bridge of Don Academy will have to also cross two roads serving the industrial estate and safe crossing of these should be reviewed.
  - Deterrents needed to ensure vehicle adhere to the speed limits.
  - Lack of capacity at schools and doctors' surgeries, with total number of houses being built.
  - It is noted that there is a contribution for an extension at Scotstown Primary, however, nothing for Bridge of Don Academy. The Community Council await information on numbers.
  - With regard to GPs, it is currently difficult to register and waiting times for appointments are three weeks.
- **Police Scotland** – Encourages developer to liaise with Architectural Liaison and attain 'Secured by Design'.
- **Scottish Environment Protection Agency** – No objection subject to a condition relating to maintenance. Further clarification has been provided on the existing culvert at the downstream end of the site which confirms it can convey the 1 in 200 year including climate change flows. This is based on flows calculated to reach the structure rather than full catchment design flows due to the upstream culvert arrangements where there is bifurcation and flow lost from the 'channel'. SEPA are satisfied that the methods used are appropriate given the heavily modified nature of the catchment and that CCTV surveys have been undertaken to establish flow pathways.

The information provided indicates that in the event of a 25% blockage at the structure there is sufficient capacity within the channel to contain the flows. To mitigate exceedance of this scenario an open manhole with grille is being installed immediately downstream of the inlet, below the overtopping level of the crossing, to allow flows to return to the culvert. SEPA are satisfied that, given there are a number of upstream culverts, the risk of blockage at this structure would be reduced. SEPA recommend a maintenance schedule is put in place to ensure all culverts are kept clear.

Therefore, based on the information that the culvert and channel capacity can convey the design flood event, including with an appropriate degree of blockage, without posing a flood

risk to properties, SEPA consider that this is sufficient to discharge condition 12 (flood risk) imposed on planning consent P150824 in terms of its interests.

- **Scottish Water** – No comments received.

## **REPRESENTATIONS**

Two representations have been received (2 objections). The matters raised can be summarised as follows –

### **Material Considerations**

1. Noise from King's Church affecting residents.
2. Queries whether drainage proposals are suitable, given potential impact on King's Church.
3. Flood risk mitigation measures should be proposed.
4. Pavements should not be blocked by refuse bins as this would impede pedestrians
5. Construction traffic must consider pedestrian movements to the Church.
6. Queries relating to neighbour notification.
7. Development risks increasing number of members of public on Royal Aberdeen Golf Course, which is of very high quality, having attracted a number of prestigious tournaments over the years. The driving tee range is located immediately to the east of the southern area of the application site. The only purpose for access is to cross the course to the beach. The dunes to the east are of such a height and gradient that regular access would cause erosion. The Golf Club are therefore putting in place an access strategy. Access is best taken alongside the burns, which are located north of the application site. Access will be directed towards these locations. It is requested that the applicant installs a fence along boundary within the site. With storm damage to trees and potential loss of screening, the Golf Club are considering installing a fence.
8. Concerns that increased use of paths within woodland would increase pressure on trees. Requested that enhanced woodland planting is included in landscape plans.
9. Surface water would be attenuated and drain to the existing burn that runs through the golf course. Due to higher tides flooding has been caused on golf course and concern that increased surface water would exacerbate the flooding.

## **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.

1. Tackling the climate and nature crises
2. Climate mitigation and adaptation
3. Biodiversity
4. Natural places
6. Forestry, woodland and trees
8. Green belts
9. Brownfield, vacant and derelict land and empty buildings
10. Coastal development
13. Sustainable transport
14. Design, quality and place
15. Local living and 20 minute neighbourhoods
16. Quality homes
18. Infrastructure first
19. Heat and cooling
20. Blue and green infrastructure
21. Play, recreation and sport
22. Flood risk and water management
24. Digital infrastructure
25. Community wealth building

#### Aberdeen Local Development Plan 2023

- H1 – Residential Areas
- H2 – Mixed Use
- NE1 – Green Belt
- NE2 – Green and Blue Infrastructure
- NE3 – Our Natural Heritage
- NE4 – Our Water Environment
- NE5 – Trees and Woodland
- D1 – Quality Placemaking
- D2 – Amenity
- D4 – Landscape
- D5 – Landscape Design
- H1 – Residential Areas
- H3 – Density

- H4 – Housing Mix and Need
  - H5 – Affordable Housing
  - CF2 – New Community Facilities
  - LR2 – Delivery of Mixed Use Communities
  - WB1 – Healthy Developments
  - WB2 – Air Quality
  - WB3 – Noise
  - R2 – Degraded and Contaminated Land
  - R5 – Waste Management Requirements
  - I1 – Delivering Infrastructure, Transport and Accessibility
  - I2 – Infrastructure Delivery and Planning Obligations
  - T2 – Sustainable Transport
  - T3 – Parking
  - CI1 – Digital Infrastructure
- 
- OP13: Former AECC, Bridge of Don

## **Aberdeen Planning Guidance**

Bridge of Don AECC Development Framework:

<https://www.aberdeencity.gov.uk/services/planning-and-building-standards/services/planning-and-building-standards/local-development-plan/aberdeen-local-development-plan/supplementary-guidance-and-technical-advice>

- Affordable and Specialist Housing;
- Amenity;
- Air Quality;
- Flooding Drainage and Water Quality;
- Landscape;
- Materials;
- Natural Heritage;
- Noise;
- Trees and Woodland;
- Transport and Accessibility;
- Waste Management Requirements for New Developments.

## **EVALUATION**

### **Key Determining Factors**

The climate and nature crises are overarching considerations, together with fulfilling the need for quality and affordable homes. In considering the detailed submissions against the various conditions, considerations will be whether the proposal would provide a nature-positive place, designed to adapt to climate change, reduce emissions and protect and restore the environment. The layout and design of the proposed residential neighbourhood and 'place making' are also key matters for consideration.

The site is covered by Planning Permission in Principle (PPiP) Reference 150824 for a *'mixed use development to include (approximately 498) residential units, commercial and business use, recycling centre and park and ride facility'*. The application was approved subject to signing of a legal agreement. This requires the developer to sign a subsequent Section 75 legal agreement relating to developer obligations, prior to any approval of the current application.

The PPiP was approved subject to a number of conditions, which are set out below.

The site is subject to an agreed Development Framework dating from December 2014. Although the Development Framework is over ten years old, it still forms part of the Development Plan and is used to assess development proposals for the site.

Since approval of the PPiP and preparation of the Development Framework (DF), the development plan background has changed. National Planning Framework 4 has been adopted by the Scottish Government and forms part of the development plan, with the Aberdeen Local Development Plan 2023 also having been adopted.

The principle of development on the site is established by the LDP OP13 allocation for a mixed-use development, the AECC Bridge of Don Development Framework (December 2014) (DF) and Planning Permission in Principle (150824), for a mixed use development, including 498 homes, as noted above. The proposed development would comprise the eastern and northern extents of the OP13 allocation, it is noted that the western area, west of Exhibition Avenue is occupied by existing buildings and uses and does not form part of the current application.

The development would be on a brownfield site, which the LDP notes, as having a capacity for 498 residential units on 13.15 hectares (the site size difference is assumed to be due to the reduced buffer indicated adjacent to the Household Waste and Recycling Centre (HWRC)).

The following is an assessment of the submissions in relation to each condition:

### Phasing

*(1) That no development shall be undertaken in any phase unless a detailed phasing programme outlining the delivery of buildings, open space and roads infrastructure across the entire application site has been submitted to, and approved in writing by the planning authority via a formal 'Matters Specified in Conditions' application - in order to ensure development is progressively accompanied by appropriate associated infrastructure, and to inform the timescale for submission of further applications for 'Matters Specified in Conditions' specified in the planning authority's direction stated in this notice.*

A phasing plan has been submitted which shows development commencing in the northern area of the site, which contains approximately half the affordable housing for the site, and progressing to the central area for phase 2. Phase 3 would be the southern area and finally Phase 4 in the south western area to the rear of King's Church, which contains the remainder of the affordable housing. The Roads Team area content that each phase would be provided with adequate road access prior to the next phase being built. In terms of affordable housing, the provision of this is further controlled by the requirement to agree an Affordable Housing Schedule prior to any development.

It is recommended that conditions be attached to ensure that the phases are implemented in the order implied by the numbering and to ensure that within each phase the communal areas (such as roads, open space, planting and play areas) are provided.

## DESIGN AND LAYOUT

*(2) No development in connection with each respective phase/block of the planning permission hereby approved shall take place until full details of the siting, design, external appearance and landscaping within the relevant phase of the development and the means of access serving the relevant phase/block of development have been submitted to and approved in writing by the Planning Authority. The development shall then be implemented in complete accordance with the approved details, or those subsequently approved. Depending on the phase/block, and unless otherwise agreed in writing with the planning authority, the MSC applications shall include:*

*a) A detailed levels survey of the site and cross sections showing proposed finished ground and floor levels relative to existing ground levels and a fixed datum point within the relevant phase/block of development; and*

*d) Details of all cut and fill operations in the relevant phase/block of the development;*

These site levels details have been submitted and show the area alongside the burn and northern site areas as lower ground, with the central area and southern extremity on higher ground. The level changes between adjacent houses are most significant in the southern area with up to 2m between finished floor levels of houses backing onto each other. The rear gardens would provide a distance of approximately 18m between the houses. This relationship, where houses are elevated would be restricted to only a few plots, with others at less varying levels differences. Four houses are indicated as having exposed underbuilding.

*e) The details of all roads, footpaths and cycleways throughout the relevant phase/block of the development;*

These have been provided and the Roads Development Management and Waste teams are satisfied with the layout and traffic calming proposed, subject to conditions requiring double yellow lines within areas where refuse vehicles would require to manoeuvre.

*f) Details of any screen walls/fencing to be provided within the relevant phase/block of the development;*

These are provided as low hedges to frontage areas, artificial stone walls to rear gardens where they back onto public areas, timber fences with artificial stone piers on rear gardens behind landscaping and timber fences where boundaries are less visible. Boundary treatments are appropriate in terms of providing privacy and visual amenity.

*g) Details of all landscaping, planting and screening associated with the relevant phase/block of the development;*

This is considered below, with condition 3.

*h) Full details of the layout, siting, design and finish of all residential properties, throughout the relevant phase/block of development;*

Policies D1: Quality Placemaking in the LDP and Policy 14: Design, Quality and Place contain a number of essential qualities against which proposals should be assessed, with the aim of creating well-considered layouts that respond to the context, are of high quality design and include biodiverse open space. The Development Framework (DF) is of relevance here.



The proposed site layout includes houses facing out onto the two existing public roads bounding its edges, together with existing and proposed tree planting at regular intervals within the verges, this would create a strong and attractive frontage to these external roads and a setting for the housing. To the north end of the site adjacent to the household waste site, and to the south end opposite the rear of King's Church the houses would face into the site prioritising the creation of small communities of housing facing each other around shared courtyard areas. Elsewhere there would be houses fronting onto the Silver Burn corridor and onto the tree belt along the south west boundary, again providing an attractive setting and outlook for the housing. Straight streets are proposed to either side of the central area and these would be planted with street trees, with houses fronting along their length. These factors, in addition to extensive path networks around and through the development would contribute to a pleasant pedestrian environment with a number of alternative through routes to the various areas of housing. Connections outside the site are considered below.

In terms of the design of the houses, these have been amended through an iterative process of discussion, street elevations have been submitted and features such as windows on prominent gables and window surrounds, have been added to the proposed houses. The submissions show elevational design and massing that would create visual interest and a pleasant place to live for future residents.

The DF layout includes a higher density (55 units per hectare) within the central area of the site, with flats included in this area, with Mid density (45 units per ha) in the northern and western area and Low density (35 per ha) in the southern area. LDP Policy H3 : Density seeks 50 dwellings per ha, however, it also refers to density being appropriate. The application site does not contain any open market flats, whilst the affordable flats are within two storey blocks in the mid density areas. The layout addresses density within the central area by including two and half storey houses and a higher proportion of terraces and semi-detached; the ground is also at a higher level in this area. Thus, the central area would have the appearance of higher density in terms of massing of built form. Density across the site is cited as 43 units per ha in the Design and Access Statement, excluding areas of retained woodland, with the central area being slightly higher than this. Taking into account the character of the surrounding area and that there is currently little market demand for flats within outer areas of the city, as well as the requirements for parking it is considered that the densities proposed across the site are acceptable.

The houses and flats each have private useable amenity space, with boundary encloses of appropriate materials including artificial stone where boundary are onto more visible public areas.

Electric vehicle (EV) charging is provided as following: active provision for all plots with in-curtilage parking (149 units); passive provision (ducting and connection points) for all plots where parking is remote and ducting would run underneath footpaths (148 units); no EV provision where ducting would cross another plot, adopted road or constrained by existing services or wayleaves (30 units). It is also noted that building warrants have been approved pre-dating the requirement for EV on much of the site area, plots with no EV provision all fall within this area. Although EV charging does not fully comply with the APG, given that the majority of plots would have some provision and the building warrant situation, the proposal is considered acceptable in this respect.

*i) Full details of the layout, siting, design and finish of all non-residential properties throughout the relevant phase/block of development. This shall include but is not limited to: commercial premises, the Park and Choose, household waste and recycling centre (HWRC), local scale retail units; and,*

No non-residential properties are proposed, with the HWRC having been completed in the area immediately to the north of the site, this included the building of a bund and tree planting along the boundary between the housing and HWRC. Local scale retail units are not included within the proposal and their provision was not a requirement.

*j) Full details of all waste/recycling collection points, for residential and non-residential properties;*

Details of refuse storage and waste collection points have been provided and with the recommended conditions requiring double yellow lines as noted above, the proposal is acceptable.

*(4) That the development shall not be brought into use and no residential units shall be occupied unless there has been implemented on site the works detailed below, in accordance with details submitted to and approved in writing by, the planning authority, unless otherwise agreed in writing with the planning authority. The works are:*

- a) A shared use path alongside the frontage of the proposed site on Ellon Road;*
- b) The repositioning of existing pedestrian crossing facilities on Ellon Road and their upgrading to include toucan crossing facilities (to provide linkage to the northbound bus stop on Ellon Road).*
- c) Provision of dropped kerb crossing facility on Exploration Drive in the vicinity of the pedestrian access junction.*
- d) Upgrading of existing bus stop infrastructure and the provision of dedicated bus layby.*
- e) Provision of bus stops located at internal site on Exhibition Drive.*
- f) Relocating of existing bus stop outside AECC (on Ellon Road) to a layby close to the Park and Choose, timing of this shall coincide with the relocation of the pedestrian crossing;*
- g) Bus stops on the northern section of the upgraded Exhibition Avenue;*
- h) Layout of the footpaths within the site to provide linkage with the existing path leading through to King Roberts Way to the south west of the application site.*

- a) The footway along the site boundary on Ellon Road is proposed to be widened for shared use.
- b) The existing A92 Ellon Road crossing to south of the Ellon Road / Exploration Drive roundabout is to be upgraded to a toucan crossing, however, it is to be left in place as the rationale for moving it is unclear.
- c) There are existing dropped kerbs for the pedestrian crossing close to the roundabout on Exploration Drive, similar provision on Exploration Drive is to be made close to the secondary access into the site.
- d), e), f), g) The bus stops are considered to be in suitable locations bearing in mind the crossing.
- h) A 2m wide footway would lead out of the application site onto Exhibition Avenue, this would link to a footway on the west side of the road (running alongside the Park and Ride car park) with new tactile paving at the crossings of the access and egress routes into the car park.

#### **(5) SAFE ROUTES TO SCHOOL**

*That no residential units shall be occupied unless there has been submitted, to and approved in writing by the planning authority, details identifying safe routes to schools within the proposed development. This shall include details of measures, including a timetable for implementation, required to help ensure safe travel to school. No residential units shall be occupied unless the works have been implemented on site including the works detailed below, unless otherwise agreed in writing with the planning authority. The works are in relation to providing safer routes to school and include the following:*

- 1.Drop Kerb facilities with tactile paving at North Donside Road/ Broadfold Drive Junction*
- 2.Drop Kerb facilities with tactile paving at North Donside Road/ Gordon Road Junction*
- 3.Tactile pavers should be installed on pedestrian crossing link to Fraserfield Gardens.*
- 4.A crossing point on Scotstown Road to allow safe crossing point from Fraserfield Gardens.*

*-in the interests of road safety and encouraging walking.*

The catchment schools for the proposed site are Scotstown Primary School and Bridge of Don Academy. The applicant notes that these are well established schools whose catchments already incorporate high quality pedestrian facilities with footways and crossing provisions along with fencing and street lighting.

The above notwithstanding, the applicant is proposing several upgrades to the existing area to make the SRTS more suitable, these are:

- The widening of the existing eastern footway between Parkway and North Donside Road to create a 3m wide shared-use path;
- The upgrade of the existing pedestrian crossing on Ellon Road (adjacent to King's Church) from a Pelican to Toucan format, thereby better catering for active travel users;
- The incorporation of a new footway on Exhibition Avenue, better facilitating pedestrian movements between the western portion of the proposed development and the established Park and Ride site.

The above are all welcomed and accepted.

The Community Council have raised a number of concerns about routes to school, as follows:

- o Speed on Ellon Road, that children need to cross to en route to school from the application site as well as new residential areas of Cloverhill and Silverburn – the limit is 40mph north of the roundabout and 30mph between Parkway and North Donside Road. It should be reduced to 20mph during school times with approximately 900 homes being built to the east of the road.
- o Children going to Bridge of Don Academy will have to also cross two roads serving the industrial estate and safe crossing of these should be reviewed.
- o Deterrents needed to ensure vehicle adhere to the speed limits.

It is considered that the measures proposed would provide suitable pedestrian facilities, including for pupils travelling to school.

#### **(16) STREET DESIGN**

*Prior to the commencement of any phase of development, as identified in the approved phasing plan required by condition 1, for each respective phase full details of the proposed street design for each block, which shall contain, but not be limited to, a parking strategy, road junctions and visibility splays, cycleway provision, gradients, level details, finishing/surfacing materials and crossing points, shall be provided for the further written approval of the Planning Authority in consultation with the Roads Authority. The development shall be carried out in complete accordance with such a plan and buildings shall not be occupied unless the streets and parking areas for the respective block are complete and available for use - in the interests of road safety.*

#### **Biodiversity, Landscaping, Trees and Green Belt**

*(3) The landscaping details to be submitted pursuant to Condition 2 above shall include:*

- a) Existing and proposed finished ground levels relative to a fixed datum point;*
- b) Existing landscape features and vegetation to be retained. Tree survey, including layout plan showing proposed development together existing trees;*
- c) Existing and proposed services including cables, pipelines and substations;*
- d) The location of new trees, shrubs, hedges, grassed areas and water features;*
- e) A schedule of plants to comprise species, plant sizes and proposed numbers and density;*
- f) The location, design and materials of all hard landscaping works including walls, fences, gates, street furniture and play equipment;*
- g) An indication of existing trees, shrubs and hedges to be removed;*

- h) A Biodiversity Action Plan;*
- i) A Management Plan detailing appropriate management measures for all watercourse buffer strips;*
- j) A programme for the completion and subsequent maintenance of the proposed landscaping.*

*All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season*

*(22) that no development in any individual phase/block 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 to, and approved in writing by, the Planning Authority and any such scheme as may have been approved has been implemented - in order to ensure adequate protection for the trees on site during the construction of the development.*

Detailed plans and tree survey have been submitted showing trees to be retained and those proposed to be removed for development. The tree belts along the east and south edges of the site would be retained and these are the most significant tree groups on the site. There are no designations within the site and no veteran trees. There is one tree categorised as Category A which would be lost and is located centrally within the southern area of the site. Within the northern area of the site there are a number of linear groups of planting, including trees, that were planted as landscaping within the AECC car park. These extend across the site and the northern most of these groups is proposed to be removed. Pre-application discussions resulted in the layout being revised to accommodate retention of the landscaped/ treed area that extends across the site separating the northern area of housing and a further belt that extends across most of the eastern side of the site. These along with the existing verge planted tree line and the bund to the HWRC would encircle the northern site area with planting. The linear area to be removed is a group of relatively young trees being mainly Scots pine and alder, whilst part of a further similar group would also be removed for development. A line of semi-mature small whitebeam close to the eastern boundary would be removed due to proximity to an internal road and individual trees along the site frontages where access points are taken. However, the majority of the verge planted trees along the site frontages would remain and would be augmented with further tree and hedge planting to complete the avenues.

A group of trees would also be removed in the southern area of the site, these are partially within the area zoned as green belt. However, it is noted that a large number of these have fallen in storms over recent years and remain leaning on standing trees with no management having taken place. The group consists of a mainly broadleaf mix of elm, sycamore, Scots pine and alder, the tree report notes that most of the elm are dead. Lines of young whitebeam would also be removed in this area and other individual trees including most notably a Category A mature wild cherry.

Large areas between the remaining tree belts would be planted with a variety of structural shrubs and these include hazel, holly, cherry, elderberry, blackberry and dog rose.

Overall, it is accepted that the level of tree removal proposed could not be matched by compensatory planting on site. The areas between and adjacent to belts of large trees would not be ideally suited for the planting of larger tree species due to the root and canopy spread. It is acknowledged that the application proposal does not comply with Policy NE5 in respect of increasing tree cover

Existing services are shown on plans, and result in quite significant constraints on the design layout, due to areas that would be required to be free of buildings to meet existing wayleave requirements. These dictate the location and alignment of the two access roads either side of the central area.

*(23) that no part of the development hereby approved shall be occupied unless a plan and report illustrating appropriate management proposals for the care and maintenance of all trees to be retained and any new areas of planting (to include timing of works and inspections) in any individual phase/block has been submitted to 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 - in order to preserve the character and visual amenity of the area.*

A Biodiversity Enhancement Plan has been developed following on from tree and ecology surveys and impact assessments. Measures that would enhance biodiversity are: tree, shrubs and wildlife hedge planting, daylighting of the burn together with riparian planting, bat boxes, bee and insect boxes, hedgehog boxes, meadow, wildflower and wet meadow seeding.

Management plans are included within the Biodiversity Enhancement Plan and are considered acceptable.

*(24) that there shall be no development involving hard surfaces or buildings within the area of the application site zoned as green belt under Policy NE2 of the adopted Local Development Plan 2012. No development or works shall take place unless details have been submitted to and approved in writing by the planning authority – in the interests of the green belt and landscape areas setting of adjacent areas.*

In respect of condition 24, there are no buildings within the area zoned as green belt. The boundary of plot 237 skirts the green belt area while elsewhere along the eastern boundary the built up area would sit back from the green belt zoning, with site landscaping along the green belt edge containing shrub planting adjacent to the retained woodland. The green belt boundary is shown on Brindley's Tree Protection Plan, this shows that it does not align exactly with tree groups.

### PROTECTED SPECIES

*(19) No development in any particular phase of the development hereby approved shall take place unless surveys for protected species (red squirrel / bats /badgers) for that phase have been carried out and submitted to and approved in writing by the Planning Authority. Thereafter no development shall take place within the relevant phase of the development 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 within the relevant phase unless the mitigation measures which have been agreed in writing by the Planning Authority are carried out in accordance with the agreed scheme - to ensure the protection of protected species.*

An ecological appraisal was submitted and identified the presence of bats, red squirrels, nesting birds, reptiles and other protected species. The recommendations are that immediately prior to construction commencing, surveys would be required to be undertaken on site. Works potentially affecting active dreys or nesting habitats would need to take place outside the breeding and nesting seasons. Measures are advised regarding any disturbance of reptile refuges.

A bat survey was also conducted in relation to an electrical substation building. No bat roosts were identified. The building in question is located within phase 2 of the development. The survey states that if development works do not commence prior to 28 November 2025 then further surveys should be commissioned for completion during bat activity season (May to September). This is recommended to be conditioned.

## DRAINAGE and FLOODING

A number of conditions require further details of drainage:

*2 b) A detailed Drainage Plan for the relevant phase/block of development, including full details of the proposed means of disposal of surface water from the relevant phase/block of 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 SUDs, including ponds, should be appropriately positioned in accordance with an agreed flood risk assessment;*

*2 c) Full details of the connection to the existing Scottish Water foul water drainage network for the relevant phase/block of development;*

*(15) The details to be submitted pursuant to Condition 2 for each respective phase of the development shall show the proposed means of disposal of foul and surface water from the relevant phase of the development within the form of a Sustainable Urban Drainage System and include a development impact assessment and detailed design and methodology statement. Unless otherwise agreed in writing by the Planning Authority, in consultation with SEPA, the development shall connect to the public sewer and the relevant phase of the development shall not be occupied unless the agreed drainage system has been provided in its entirety and maintained thereafter throughout the lifetime of the consent in accordance with the approved maintenance scheme. The details required shall also include details of 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.*

The Roads DM Team are satisfied that the drainage proposals are appropriate. Swales and SUDS basins are proposed.

*(12) That no development shall take place unless there has been submitted to and approved in writing by, the planning authority in consultation with SEPA prior to any works on site:*

- The hydraulic model is re-run to incorporate an allowance for Climate Change as part of the sensitivity analysis*

- Consideration is made of the flood events which have been documented at the Park and Ride car park on the site, by Aberdeen City Council in their 4th and 5th Biennial Flood Reports.*

- No development will be permissible within the 1 in 200 year flood plain outline. With the present information provided this is defined in Figure 11 of the Flood Risk Assessment for Planning Application in Principle, dated 12 October 2015, by Kaya Consulting Ltd for Goodson Associates.*

- In regard to the proposed opening up of a culvert on the site - detailed modelling of the new channel is provided.*

- to protect people and property from flood risk in accordance with Scottish Planning Policy.*

*(13) Prior to commencement of any work in any phase of 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 [and SNH or other agencies as appropriate]. This shall include:*

*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.*

*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.*

*- to protect and improve the water environment.*

The proposals include the daylighting of the Silver Burn which is welcomed. SEPA were consulted on the proposals and are content with the proposals subject to a maintenance regime being in place to ensure that the burn is cleared of debris to prevent blockages at the culvert. The Council's Flooding Team also consider the proposals acceptable.

#### *(14) SUDS*

*that no development in any individual phase/block shall take place unless a scheme detailing levels of sustainable drainage (SUDS) surface water treatment has been submitted for the written approval of the planning authority, in consultation with SEPA, and all work shall be carried out in accordance with the approved scheme. The scheme shall be developed in accordance with the technical guidance contained in The SUDS Manual (C697) and should incorporate source control.*

*- to ensure adequate protection of the water environment from surface water run-off.*

As noted above two SUDS basins and swales are proposed and these are deemed acceptable by consultees.

#### CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (CEMP)

*(13) No development shall take place on site in each independent phase/block pursuant to this planning permission unless a site specific Construction Environmental Method Plan (CEMP) has been submitted to, and approved in writing by, the Planning Authority in consultation with SEPA. 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 minimise the impacts of necessary demolition and construction works on the environment.*

A construction environmental management plan has been submitted which satisfies the requirements of environmental health, in particular in terms of dust management.

#### TRAVEL PLAN

*(8) No part of the development shall be occupied until a comprehensive Travel Plan for that part of the development that sets out proposals for reducing dependency on the private car has been submitted and approved in writing by the planning authority, after consultation with Transport Scotland, as the Trunk Roads Authority. In particular this Travel Plan shall identify measures to be implemented, the system of management, monitoring, review, reporting and the duration of the plan.- To be consistent with the requirements of Scottish Planning Policy (SPP) and PAN 75 Planning for Transport*

*(9) That no developments shall take place unless there has been submitted to and approved in writing by the Planning Authority, a Framework Travel Plan, setting out proposals for reducing dependency on the private car. – in the interests of reducing travel by private car.*

The applicant notes that “Condition 8 of the PPP requires the submission of a comprehensive travel plan for the respective part of the development, while Condition 9 requires the submission of a framework travel plan. Through discussions with ACC, it has been agreed that only a comprehensive travel plan is to be provided in respect of the residential development for which permission is sought in this application. For clarity, the applicants also wish for Condition 9 to be discharged, so as to not leave a suspensive condition unaddressed.”

This is noted and, as such, condition 9 will be considered alongside condition 8.

The travel plan is acceptable and the Roads DM Team are content with Residential Travel Pack submitted. As the proposal involves only residential use the revised submission is acceptable.

### PUBLIC TRANSPORT STRATEGY

*(11) That no dwellings shall be occupied until such time as a public transport strategy, including proposals for the provision of either new or extended bus services linking the development with the existing public transport network, and details of the phased implementation of the strategy, have been submitted to and approved by the Planning Authority. Thereafter the agreed strategy shall be implemented in full in accordance with such a scheme, unless otherwise agreed in writing with the Planning Authority - in the interests of encouraging the use of public transport.*

The Public Transport Strategy shows 400m isochrones indicating the distance from bus stops to all site points. The applicant has included inactive stops on Parkway East and the unused Bridge of Don Park and Ride, noting it cannot require bus operators to use these facilities—just ensure their presence.

The isochrones reveal that the site's eastern and southern edges are slightly beyond the 400m preferred walking distance. Without internal stops, this cannot be improved, and even new stops offer no guarantee of operator use given nearby alternatives.

The Council's Public Transport Unit (PTU) finds the proposal acceptable.

The applicant discussed options with First and Stagecoach, neither of which expressed interest in routing buses into the site. Both companies currently serve Ellon Road and may consider closer routes in the future, such as along Exploration Drive or into the Park and Ride.

### ARCHAEOLOGY

*(20) No development shall take place within any individual block until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. The programme of archaeological work will include all necessary post-excavation and publications.*

The Archaeology Service has reviewed the submissions and has no concern about the impact of the proposal on archaeological remains as the vast majority of the site lies on previously developed ground with only a small area undisturbed. The chances of anything archaeological being encountered is very limited.



## AIR QUALITY

*(17) No development shall take place until an assessment of emissions to air from road traffic associated with the whole development has been submitted to and approved in writing by the planning authority. The assessment shall be undertaken in accordance with a method approved by Council's Environmental Health Service and take into account additional traffic associated with other consented or proposed developments in the area, including the 3rd Don Crossing and Aberdeen Western Peripheral Route. Where the development is assessed as having an adverse impact on local air quality mitigation measures shall be specified in the report. The approved mitigation measures shall thereafter be implemented in accordance with a timetable agreed with the planning authority. Reason – in order to mitigate the impact of road traffic associated with the development on local air quality.*

It was agreed with the Environmental Health Service that an air quality impact assessment would not be required, given the setback of the current application site east of the A92.

## CARBON EMISSIONS

*(21) that no development within any individual phase/block shall not be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full - to ensure that this development complies with requirements for reductions in carbon emissions specified in the City Council's relevant published Supplementary Guidance document, 'Low and Zero Carbon Buildings'.*

This matter is now covered by Building Standards.

## **Matters Raised in Representations**

### *1. Noise from King's Church affecting residents.*

The noise impact assessment covers this matter and recommends measures to mitigate the impact on nearby residents including acoustically rated windows and trickle vents. These measures would be required on a limited number of houses near to the church.

### *2. Queries whether drainage proposals are suitable, given potential impact on King's Church.*

### *3. Flood risk mitigation measures should be proposed.*

Drainage and flood risk considerations are dealt with above and acceptable.

### *4. Pavements should not be blocked by refuse bins as this would impede pedestrians.*

Paths have been widened to help ensure this does not occur.

### *5. Construction traffic must consider pedestrian movements to the Church.*

Only residents of the development itself would be walking through the development on the way to Church, as the phases progress pedestrian routes to occupied houses would be available.

### *6. Queries relating to neighbour notification.*

This was carried out correctly.

*7. Development risks increasing number of members of public on Royal Aberdeen Golf Course, which is of very high quality, having attracted a number of prestigious tournaments over the years. The driving tee range is located immediately to the east of the southern area of the application site. The only purpose for access is to cross the course to the beach. The dunes to the east are of*

*such a height and gradient that regular access would cause erosion. The Golf Club are therefore putting in place an access strategy. Access is best taken alongside the burns, which are located north of the application site. Access will be directed towards these locations. It is requested that the applicant installs a fence along boundary within the site. With storm damage to trees and potential loss of screening, the Golf Club are considering installing a fence.*

And,

*8. Concerns that increased use of paths within woodland would increase pressure on trees. Requested that enhanced woodland planting is included in landscape plans.*

A fence has been erected along the Golf Club's boundary. Strategic shrub planting is proposed between tree belts and management would take place. The shrubs / small trees proposed grow to a height of around 8m. The paths are intended to be natural and within woodland for recreational purposes. It is noted that the Golf Club would retain direct access northward through its land.

*9. Surface water would be attenuated and drain to the existing burn that runs through the golf course. Due to higher tides flooding has been caused on golf course and concern that increased surface water would exacerbate the flooding.*

The surface water would be attenuated on site, having been designed so that no more water than existing flows out of the site. It is noted that the site is a former car park with extensive areas of hard surfacing.

The Community Council also raised a concern about pressure on doctors surgeries and schools as a result of the development and cumulative impact of recent residential permissions and on-going developments. These would be addressed by the contributions towards such facilities as noted below.

### **Legal Agreement Heads of Terms**

A S75 legal agreement has been drafted which requires the provision of 25% affordable housing and per unit contributions for community facilities £1828.50, education £914.76, healthcare £1023.57, sports and recreation £494 and a total car club contribution of £20,016. This requires to be signed and sent for registration prior to the issue of any planning permission.

### **RECOMMENDATION**

Approve Conditionally subject to Legal Agreement.

### **REASON FOR RECOMMENDATION**

The application complies with the Development Framework for the AECC. The Noise Impact Assessment and addendum indicates that with suitable mitigation measures for the housing close to the Church, a satisfactory residential environment would be achieved. The proposal thereby accords with policies WB3 Noise, WB1 Healthy Developments in the adopted Aberdeen Local Development Plan 2023 (LDP) and Policy 23: Health and Safety in National Planning Framework 4 (NPF4). The principle of residential development on the site was established by the granting of Planning Permission in Principle (Reference 150824).

The application proposal is satisfactory in terms of the mix of houses of varying sizes and types, with areas of green space, play areas and landscape planting and retention of tree belts along the east boundary as well as augmentation of the tree lined site frontage and includes submissions that satisfy the requirements of the relevant conditions from Planning Permission in Principle Ref. 150824. The proposal in terms of design, scale, massing, siting and landscaping would provide an acceptable level of amenity for residents, such that it would comply with the policies H1 – Residential Areas, H3 – Density, D1 – Quality Placemaking and D4 – Landscaping, all within the LDP, and 14. Design, quality and place and 16. Quality homes in NPF4.

The Biodiversity Action Plan, Arboricultural Impact Assessment and landscape plans together with conditions that require their implementation would result in a number of measures that would protect trees and continue to provide habitat with measures that would enhance biodiversity on the site. The proposal is thereby compliant with Policy 3: Biodiversity. There would be tensions with Policy 6: Forestry, Woodland and Trees in NPF4, and Policy NE5: Trees in the LDP as the tree removal would not be fully mitigated on site, as there is not sufficient site area remaining to increase tree cover. In this particular instance and as the site layout complies with the Development Framework, it is considered that the benefits of the proposal outweigh the lack of mitigation.

Flood risk measures and management is acceptable, with the recommended condition relating to ensuring burn maintenance. The drainage, refuse storage and parking, including provision of car club spaces and access proposals are acceptable and overall the proposal complies with policies T2: Sustainable Transport and T3 – Parking NE6 – Our Water Environment and R5 – Waste Management in the (LDP) and policies 12. Zero Waste, 22. Flood risk and water management.

Taking into account the measures to enhance biodiversity and protect trees, the location near to facilities such the church, to public transport and active travel links, the proposal would further the aims of policies 1. Tackling the climate and nature crises, 2. Climate mitigation and adaptation, 13. Sustainable transport and in NPF4, as well as policy T2: Sustainable Transport in the LDP.

## **CONDITIONS**

### **1. PHASING ORDER**

That the phases of the development hereby approved shall be implemented in the numerical order indicated by the Phasing Plan SILVR-HFM-ZZ-ZZ-DR-A-02 05 P06, with each phase being fully completed (with the exception of landscape planting) prior to the commencement of the subsequent phase unless otherwise agreed in writing by the planning authority. This shall include completion of the road, footways, footpaths, open spaces, play areas and SUDS measures.

Reason: In order to ensure that public realm infrastructure is implemented in full.

### **2. PARKING RESTRICTIONS**

That no houses within phase 1 shall be occupied unless there have been installed double yellow lines or other such measures to avoid parking that would obstruct refuse vehicle movements, in accordance with a scheme that has been submitted to and approved in writing by the planning authority.

Reason: In the interests of road safety.

### **3. BURN AND MAINTENANCE**

That no houses within phase 3 shall be occupied unless the Silver Burn has been daylighted as shown on the approved plans and there has been submitted to and approved in writing by the planning authority, a maintenance schedule to ensure all culverts are kept clear. Thereafter the maintenance shall be carried in accordance with the agreed schedule.

Reason: In order to ensure that the burn is daylighted to the benefits of the water environment and biodiversity and that maintenance takes place to avoid flooding of houses.

#### 4.PLAY AREA

a) That no houses within Phase 3 shall be occupied unless there has been provided on site a play area and trim trail in accordance with a layout plan, details and specifications of equipment following the general principles set out in the Play Strategy. Tree planting shall also be included within the play area and details of species and size at planting shall be provided. Tree planting shall take place within or before the planting season following completion of the play area and any trees damaged or dying within five years shall be replaced with similar species.

b) That no houses within phase 2 shall be occupied unless there has been provided on site a play area in accordance with a layout plan, details and specification

Reason: To ensure provision of recreational facilities and amenity.

#### 5. NOISE MITIGATION MEASURES

That the mitigation measures noted in the Noise Impact Assessment addendum report dated 6 March 2025, by Sandy Brown Consultants, or other such report as subsequently agreed in writing with the planning authority, shall be implemented in full prior to occupation of the houses indicated in Figure 8 of the aforementioned report.

Reason: In the interests of residential amenity.

#### 6. PRE-CONSTRUCTION ECOLOGY SURVEYS

That no development shall commence within any individual phase unless pre-construction surveys for protected species for that phase have taken place in accordance with the timescales indicated in the Preliminary Ecology Survey. The survey results and recommendations shall be submitted to the planning authority prior to development commencing and any recommendations shall be implemented in full unless otherwise agreed in writing with the planning authority.

Reason: In order to ensure protection of the relevant species.

#### 7.BAT SURVEY (PHASE 2)

That prior to the commencement of development in Phase 2 a bat survey shall be carried out on the electrical sub-station building in accordance with the recommendations of the Bat Activity Survey by Brindley Associates 31 May 2024 and the results and any recommendations. submitted to and agreed in writing by the planning authority. Any measures recommended shall be followed and implemented in full as appropriate.

Reason: In the interests of protecting bats.

#### 8.BIODIVERSITY ENHANCEMENT PLAN

That no houses shall be occupied within any individual phase unless the biodiversity measures in the Brindley Associates Biodiversity Enhancement Plan Revision F for that phase have been installed or implemented in full as appropriate, unless other timing is agreed in writing with the planning authority.

Reason: In order to ensure biodiversity enhancement.

#### **ADVISORY NOTES FOR APPLICANT**

- 1) In accordance with Planning Permission 150824 all soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of each respective phase of the development or such other date as may be agreed in writing with the Planning Authority. Any planting which, within a period of 5 years from the completion of each phase of the development, in the opinion of the Planning Authority is dying being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted – in the interests of protecting trees and ensuring a satisfactory quality of environment.

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