

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

ABERDEEN, 9 October 2025. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS). Present:- Councillor McRae, Convener; Councillor Greig, Vice Convener; and Councillors Alphonse, Boulton, Clark, Copland, Farquhar, Lawrence and Macdonald.

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

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

### 27 RUBISLAW DEN NORTH ABERDEEN - DETAILED PLANNING PERMISSION - 241426

1. With reference to article 7 of the minute of the Planning Development Management Committee of 25 September 2025, whereby it was agreed to hold a site visit before determination, the Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for Detailed Planning Permission for the change of use from offices to form seven residential flats and two dwellinghouses including alterations to windows, formation of Juliet balconies, roof terraces with glass balustrade and roof extension; installation of roof lights, alterations to door and window openings blocking up door opening to form windows, opening up windows opening; erection of ancillary garages, formation of car parking and erection of single dwelling house with associated landscaping and infrastructure works at 27 Rubislaw Den North Aberdeen, be approved conditionally with a legal agreement.

#### **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

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

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proportionate relationship shall be erected on site.

Reason - in the interests of visual amenity and to preserve the character and appearance of the Category B-listed building at 27 Rubislaw Den North.

**(03) HARD LANDSCAPING MATERIALS**

Notwithstanding any information provided in the hereby approved drawings, no development shall take place unless a scheme detailing all hard surfacing materials of the development hereby approved has been submitted to, and approved in writing by, the planning authority. The development shall subsequently be carried out in accordance with the agreed details.

Reason – in the interest of visual amenity and to preserve the setting of the Category B-listed building at 27 Rubislaw Den North

**(04) GATE**

Notwithstanding any information contained in the drawings submitted as part of this application, the development hereby approved shall not be occupied unless further details of the gate to be implemented across the vehicular and pedestrian access into the site from Rubislaw Den North have been submitted. The development shall subsequently be carried out in accordance with the agreed details.

Reason – to preserve the setting and character of the Albyn Place and Rubislaw Conservation Area and the Category B-listed building.

**(05) LIGHTING**

Notwithstanding any information provided in the hereby approved drawings, prior to the occupation of any residential unit hereby approved a scheme of external lighting for that unit shall be submitted to, and approved in writing by, the planning authority. The development shall subsequently be carried out in accordance with the agreed details.

Reason – to preserve the character and fabric of the Category B-listed building and to avoid any potential adverse impact on protected species.

**(06) GARDEN HOUSE DETAILS**

That no development on the Garden House shall take place unless details of foundations and a methodology for the construction for the Garden House have been submitted to, and approved in writing by, the planning authority. The development shall subsequently be carried out in accordance with the agreed details.

Reason – in the interest of the integrity of the listed terraces and to avoid any unacceptable impact on the Rubislaw Den Local Nature Conservation Site.

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**(07) GARAGE DETAILS**

That no development shall take place unless details of foundations and a methodology for the construction of the garage building have been submitted to, and approved in writing by, the planning authority. The development shall subsequently be carried out in accordance with the agreed details.

Reason – to minimise any adverse impact on the roots of protected trees along the northern site boundary.

**(08) IMPLEMENTATION SOFT LANDSCAPING**

That all planting, seeding and turfing comprised in the approved scheme of landscaping as set out in the hereby approved drawings 2294/RFB/XX/XX/DR/L/0001/RevD and 2294/RFB/XX/XX/DR/L/0003/revC shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority.

Reason - in the interests of visual amenity of the area, to provide a good quality living environment for residents and to ensure a satisfactory replacement tree planting scheme is implemented.

**(09) TREE PROTECTION (01)**

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

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

**(10) 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 – in order to ensure. Adequate protection for the trees on site during the construction of the development.

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### **(11) CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN**

That no development shall take place unless a detailed site-specific Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by the planning authority. The approved plan shall be submitted in full for the duration of the works. For the avoidance of doubt, the CEMP shall contain details on:

- Air Quality (Dust) Risk Assessment;
- Dust Management Plan;
- A site waste management plan;
- Details of how pollution of the North Burn of Rubislaw and the Rubislaw Den Local Nature Conservation Site will be prevented;
- Details of the measures put in place to ensure workers on the site are aware of the requirement to avoid any impacts with protected species
- Details of any construction lighting that might be required in relation to works to the Garden House

Reason – in the interest of residential amenity of neighbouring properties and to ensure that construction of the development will not have an adverse impact on the qualities of the Rubislaw Den Local Nature Conservation Site.

### **(12) DRAINAGE DETAILS**

Notwithstanding the information contained within Drainage Assessment 163925 undertaken by Fairhurst and submitted as part of this application, no development shall take place unless details of the surface water management system, including the exact location of the outfall to the North Burn of Rubislaw has been submitted to, and approved in writing by, the planning authority. The development shall subsequently be implemented in accordance with the agreed details.

Reason – in the interest of the integrity of the Rubislaw Den Local Nature Conservation Site.

Following the site visit, Members returned to deliberate the application and heard from Dineke Brasier, Senior Planner, who spoke in furtherance of the application and answered various questions from Members.

The Committee then heard from Michael Lorimer (on behalf of Mr and Mrs Barrack), Roger Laird (on behalf of Mr Sydney Fraser) and George Sismey-Durrant (on behalf of Mr Martin Ross). They all spoke against the application and asked that the proposed application be refused.

The Convener moved, seconded by Councillor Alphonse:-

That the Committee approve the application conditionally with a legal agreement in line with the officers' recommendation, with an extra condition added to read:-

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That no development shall take place unless details of the route, foundation and materials details and a methodology for the construction of the path and steps from the communal garden ground in the southern part of the site down to the Den of Rubislaw, as shown on plan ref Raeburn Farquhar Bowen 2294-RFB-ZZ-ZZ-DR-L-D04 (or equivalent as has been agreed in writing by the Planning Authority) have been submitted to, and approved in writing by the Planning Authority. The development shall not be carried out other than in full accordance with the details thereby approved.

Reason – In the interest of the integrity of the listed terraces.

The Vice Convener moved as an amendment, seconded by Councillor Boulton:-

That the Committee refuse the application for the following reasons:-

The proposal would be contrary to Policy 7 of National Planning Framework 4 (NPF4) and Policy D6 of the Aberdeen Local Development Plan (ALDP) by virtue of the adverse impact of the proposal on the historic environment particularly by virtue of the materials, design, scale of the garden house and its anomalous position in relation to the Den of Rubislaw – resulting in an unacceptable impact on the setting of the listed building and character of the conservation area;

The proposal would be contrary to Policy D1 and D2 of the Aberdeen Local Development Plan and Policy 14 of NPF4 by virtue of the adverse impact of the proposal, particularly the garden house, on the residential amenity of adjoining property at 25A Rubislaw Den North and the amenity of recreational users of the Den of Rubislaw; and

The proposal would be contrary to Policy NE3 of the ALDP and Policy 4 of NPF4 by virtue of the adverse impact of light and noise on the wildlife of the Den of Rubislaw – a designated Local Nature conservation site.

On a division, there voted – for the motion (6) – the Convener and Councillors Alphonse, Copland, Farquhar, Lawrence and Macdonald – for the amendment (3) – the Vice Convener and Councillors Boulton and Clark.

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

to adopt the motion, therefore approve the application conditionally with a legal agreement and an extra condition.

## **27 RUBISLAW DEN NORTH ABERDEEN - LISTED BUILDING CONSENT - 241427**

2. With reference to article 8 of the minute of the Planning Development Management Committee of 25 September 2025, whereby it was agreed to hold a site visit before determination, the Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

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That the application for Listed Building Consent for the alterations to the former office building to form 7no residential flats and two dwellinghouses including alterations to windows, formation of Juliet balconies, roof terraces and roof extension; installation of roof lights, alterations to door and window openings; erection of garages with ancillary space, formation of car parking and erection of single dwelling house with associated landscaping, infrastructure works and internal alterations at 27 Rubislaw Den North Aberdeen, be approved subject to the following conditions:-

### **Conditions**

#### (01) MATERIALS

That no development shall take place unless a scheme/samples detailing all external finishing materials to the roof and walls of the development hereby approved has been submitted to, and approved in writing by, the planning authority, and thereafter the development shall be carried out in accordance with the details so agreed. For the avoidance of doubt, a sample panel with all external finishing materials showing their proportionate relationship shall be erected on site.

Reason – To preserve the character and appearance of the Category B-listed building at 27 Rubislaw Den North.

#### (02) HARD LANDSCAPING MATERIALS

Notwithstanding any information provided in the hereby approved drawings, no development shall take place unless a scheme detailing all hard surfacing materials of the development hereby approved has been submitted to, and approved in writing by, the planning authority. The development shall subsequently be carried out in accordance with the agreed details.

Reason – To preserve the setting of the Category B-listed building.

#### (03) GATES

Notwithstanding any information contained in the drawings submitted as part of this application, the development hereby approved shall not be occupied unless further details of the gates to be implemented across the vehicular and pedestrian access into the site from Rubislaw Den North have been submitted. The development shall subsequently be carried out in accordance with the agreed details.

Reason – To preserve the setting and character of the Category B-listed building.

#### (04) LIGHTING

Notwithstanding any information provided in the hereby approved drawings, prior to occupation of any residential unit hereby approved, a scheme of external lighting for

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that unit shall be submitted to, and approved in writing by, the planning authority. The development shall subsequently be carried out in accordance with the agreed details.

Reason – To preserve the fabric of the Category B-listed building.

**(05) NOISE AND FIRE SEPARATION**

Notwithstanding any information provided in the hereby approved drawings, prior to commencement of development, a detailed scheme setting out noise and fire separation measures shall be submitted and approved in writing by, the planning authority. For the avoidance of doubt, details shall include detailed drawings, including 1:10 cross-sections and, if a suspended ceiling is proposed, drawings must illustrate its relationship with any existing historic and architectural features and demonstrate how key features such as cornicing will be reinstated. The development shall subsequently be carried out in accordance with the agreed details.

Reason – To preserve the fabric and character of the Category B-listed building.

**(06) VENTILATION AND FLUES**

Notwithstanding any information provided in the hereby approved drawings, prior to commencement of development, a detailed scheme showing location and type of vents and flues to be installed shall be submitted and approved in writing by the planning authority. For the avoidance of doubt, information to be provided shall include brochure details of slate vents, elevation vents/grilles and flues. The development shall subsequently be carried out in accordance with the agreed details.

Reason – To preserve the fabric and character of the Category B-listed building

**(07) WALL RESTORATION METHODOLOGY**

That following demolition of the existing modern extension to the north of the original house no further development shall take place unless a detailed methodology for restoration of the north elevation wall following removal of the extension has been submitted to and approved by the planning authority. The development shall subsequently be carried out in accordance with the agreed details.

Reason – To preserve the fabric and character of the Category B-listed building.

**(08) GARDEN HOUSE DETAILS**

That no development on the Garden House shall take place unless details of foundations and a methodology for the construction for the Garden House have been submitted to, and approved in writing by, the planning authority. The development of the Garden House shall subsequently be carried out in accordance with the agreed details.

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Reason – in the interest of the integrity of the listed terraces and to avoid any unacceptable impact on the Rubislaw Den Local Nature Conservation Site.

Following the site visit, Members returned to deliberate the application and heard from Dineke Brasier, Senior Planner, who spoke in furtherance of the application and answered various questions from Members.

The Committee then heard from Michael Lorimer (on behalf of Mr and Mrs Barrack), Roger Laird (on behalf of Mr Sydney Fraser) and George Sismey-Durrant (on behalf of Mr Martin Ross). They all spoke against the application and asked that the proposed application be refused.

The Convener moved, seconded by Councillor Alphonse:-

That the application be approved conditionally with an extra condition added to read:-

That no development shall take place unless details of the route, foundation and materials details and a methodology for the construction of the path and steps from the communal garden ground in the southern part of the site down to the Den of Rubislaw, as shown on plan ref Raeburn Farquhar Bowen 2294-RFB-ZZ-ZZ-DR-L-D04 (or equivalent as has been agreed in writing by the Planning Authority) have been submitted to, and approved in writing by the Planning Authority. The development shall not be carried out other than in full accordance with the details thereby approved.

Reason – In the interest of the integrity of the listed terraces.

The Vice Convener moved as an amendment, seconded by Councillor Boulton:-

That the Committee refuse the application as the proposal would be contrary to Policy 7 of National Planning Framework 4 (NPF4) and Policy D6 of the Aberdeen Local Development Plan (ALDP) by virtue of the adverse impact of the proposal on the historic environment particularly by virtue of the materials design, scale of the garden house and its anomalous position in relation to the Den of Rubislaw – resulting in an unacceptable impact on the setting of the listed building and character of the conservation area.

On a division, there voted – for the motion (6) – the Convener and Councillors Alphonse, Copland, Farquhar, Lawrence and Macdonald – for the amendment (3) – the Vice Convener and Councillors Boulton and Clark.

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

to adopt the motion, therefore approve the application conditionally with an extra condition.

- **COUNCILLOR CIARAN MCRAE, Convener**



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