

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 15 August 2019. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Boulton, Convener; Councillor Stewart, Vice Convener; and Councillors Allan, Cooke, Copland, Cormie, Greig, Avril MacKenzie and Malik.

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

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

### DECLARATIONS OF INTEREST

1. Councillor Malik declared an interest in regards to item 7.1 on the agenda, 48 Coronation Road. Councillor Malik intimated that he would leave the meeting during consideration of the item and would take no part in the deliberation or determination of the item.

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2. The Committee had before it the minute of the previous meeting of 27 June 2019, for approval.

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

to approve the minute as a correct record.

### COMMITTEE PLANNER

3. The Committee had before it a planner of future Committee business.

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

to note the information contained within the business planer.

### 18 ST JOHNS ROAD ABERDEEN - 190945

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

That the application for detailed planning permission for the erection of a single storey extension and external steps to the rear of 18 St Johns Road Aberdeen, be approved unconditionally.

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The Committee heard from Gavin Clark, Senior Planner, who spoke in furtherance of the report and answered question from members.

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

to approve the recommendation and therefore approve the application unconditionally.

### **SHIELHILL ROAD MUNDURNO - 131851**

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

That the application for detailed planning permission for the erection of 99 houses with associated car parking, landscaping and drainage at Shielhill Road Mundurno Aberdeen, be approved subject to a legal agreement and the following conditions:-

#### **Conditions**

##### (01) Path Links

No development shall take place unless a scheme for the provision of proposed footpath / cycle links (together with associated bridge crossings over the Burn of Mundurno), to connect the proposed dwellings with the adjacent housing development under construction to the west of the site, and for provision of footpath and cycle connection to the site from Denmore Road, has been submitted to and approved in writing by the planning authority, or planning permission has been secured for such links. Thereafter none of the dwellings shall be occupied unless the said foot / cycle path links have been implemented in full.

**Reason** - in the interests of pedestrian / cycle connection and sustainable development.

##### (02) Site / Plot Boundaries

No development pursuant to this planning permission shall take place, nor shall any part of the development hereby approved be occupied, unless there has been submitted to and approved in writing by the Planning Authority, a detailed scheme of site and plot boundary enclosures for the entire development hereby granted planning permission. The dwellings hereby granted planning permission shall not be occupied unless the required boundaries have been implemented in full, unless the planning authority has agreed to vary such requirements.

**Reason** - in order to preserve the amenity of the neighbourhood and protect the setting of the green belt / visual approach to the city.

##### (03) Buffer Strips

No development shall take place pursuant to this planning permission unless a site specific environmental management plan has been submitted to and approved in writing by the planning authority. This shall include site specific details for the protection of the watercourses including detailed site plans showing protection and mitigation proposals, and a site specific plan demonstrating a 6m buffer strip adjacent to all

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watercourses on site. All buffer strips shall be maintained free of development and construction activity during the construction and implementation of the development and thereafter shall be retained as a vegetated amenity area. No construction activity or development shall take place within buffer strips without the written agreement of the planning authority.

**Reason** - in order to protect water quality and ecology.

(04) Low Carbon / Water Efficiency

No development shall take place pursuant to this permission unless a scheme detailing compliance with the Council's 'Resources for New Development' supplementary guidance has been submitted to and approved in writing by the planning authority. The buildings hereby approved shall not be occupied unless any recommended measures specified within that scheme for the reduction of carbon emissions and to ensure water efficiency have been implemented in full.

**Reason** - to ensure that this development complies with requirements for reductions in carbon emissions specified in the City Council's relevant published Supplementary Guidance document, 'Resources for New Development'.

(05) Landscape

No development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of landscaping for the site, which scheme shall include indications of all existing landscape features on the land, and details of any to be retained, together with measures for the protection and translocation of the northern march orchids within the site in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority.

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

(06) Public Open Space

No dwellings hereby granted planning permission shall be occupied unless the areas of public open space (i.e. softscape, excluding private gardens, as identified on Drawing No.294/ P3 of the plans hereby approved, or such other drawing as may be subsequently approved) have been laid out in accordance with a scheme which shall be submitted to and approved in writing by the Planning Authority. No development pursuant to this planning permission shall take place unless a scheme detailing the manner in which delivery of the open space is to be phased, delivered and maintained has been submitted to and approved in writing by the planning authority. Such scheme shall include provision for a play area comprising at least five items of play equipment and a safety surface.

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**Reason** - in order to preserve the amenity of the neighbourhood.

(07) Flood Risk

No development, including land raising, or temporary construction works / site compounds, shall take place within the functional flood plain as shown on figure 3.4 of the flood risk assessment by Envirocentre, dated December 2013. Finished floor levels for all properties shall be a minimum of 600mm above the design flood level as reported in table 3.2 of the flood risk assessment by Envirocentre, dated December 2013. No development shall take place pursuant to this permission unless a detailed plan showing finished ground levels and floor levels for each property within the development has been submitted to and approved in writing by the planning authority.

**Reason** - In order to minimise the risk of flooding.

(08) Archaeology

No development shall take place within the application site, other than with the agreement of the planning authority, unless the applicant has secured the implementation of a programme of archaeological work which shall include post-excavation and publication work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority.

**Reason** - in the interests of protecting / recording items of historical importance as may exist within the application site.

(09) Emergency Access

No development shall take place unless a scheme for the provision of an emergency vehicle access route to serve the development and connect with an existing adopted road, has been submitted to and approved in writing by the planning authority. No more than 50 dwelling houses shall be occupied on the site unless the proposed emergency access road as detailed has been provided in accordance with this scheme and is fully operational.

**Reason** - in the interest of public safety and provision of secondary emergency vehicle access.

(10) Vehicle Charging

No development shall take place pursuant to this permission unless there has been submitted to and agreed in writing by the planning authority a scheme for provision of electric vehicle charging infrastructure for the site. Thereafter none of the dwellings shall be occupied unless the required infrastructure has been implemented for the relevant dwelling.

**Reason** - in the interests of sustainable development.

(11) Construction Method Statement

No development pursuant to this planning permission shall commence unless a detailed site specific construction method statement for the site has been submitted to and approved in writing by the planning authority. The method statement must address the temporary measures proposed to deal with surface water run-off during construction and prior to the operation of the final SUDS. Such statement shall be implemented in full for the duration of works on the site.

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**Reason** - in order to prevent potential water pollution.

(12) SUDS

No development shall take place unless a scheme of all drainage works designed to meet the requirements of Sustainable Urban Drainage Systems has been submitted to and approved in writing by the Planning Authority and thereafter no part of the development shall be occupied unless the drainage has been installed in complete accordance with the said scheme.

**Reason** - in order to safeguard water qualities in adjacent watercourses and to ensure that the development can be adequately drained.

(13) Noise Mitigation

The dwellings hereby approved shall not be occupied unless the required noise mitigation measures, as detailed in the approved noise assessment have been implemented in full (for each individual building), unless the planning authority has given prior written approval for a variation.

**Reason** - in the interests of residential amenity.

(14) Play Area

No dwelling hereby granted planning permission shall be occupied unless a Children's Play Area is completed, laid out and equipped as a play area in accordance with a scheme that has been approved in writing for the purpose by the Planning Authority, unless the planning authority has given prior written approval for a variation. The said area shall not thereafter be used for any purpose other than as a play area.

**Reason** - in order to ensure the timeous provision of play facilities.

(15) Foul Drainage

The dwellings hereby granted planning permission shall not be occupied unless a scheme for the connection to the public sewerage network has been submitted to and approved in writing by the Planning Authority and that the said scheme has been implemented.

**Reason** - in the interests of public health and pollution prevention.

(16) Car Parking

The dwellings hereby approved shall not be occupied unless provision has been made within the site for the off-street parking of motor vehicles for the specific dwellings in complete accordance with Plan No.A5143/P12C, or such other scheme as may be subsequently approved in writing by the planning authority.

**Reason** - in the interests of road safety and the free flow of traffic.

The Committee heard from Robert Forbes, Senior Planner, who spoke in furtherance of the application and answered various questions from members, which included whether there was sufficient capacity at the local primary school and Academy, the health care provision for the area and also the drainage impact assessment.

**The Committee resolved:-**

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to approve the recommendation and therefore approve the application conditionally with a legal agreement, with a revised condition 12 for SUDS and also an extra condition at 17 in regards to public open space maintenance, which would read:-

### (12) SUDS

No development shall take place pursuant to this planning permission unless a drainage impact assessment and scheme of all drainage works for the site, designed to meet the requirements of Sustainable Urban Drainage Systems, has been submitted to and approved in writing by the Planning Authority. Thereafter no part of the development shall be occupied unless the drainage works on site have been installed in complete accordance with the said scheme.

**Reason** - in order to safeguard water qualities in adjacent watercourses and to ensure that the development can be adequately drained.

### (17) Public Open Space Maintenance

No dwelling hereby granted planning permission shall be occupied unless a scheme for the maintenance of the public open space areas within the development site (i.e. softscape, excluding private gardens, as identified on Drawing No.294/ P3 of the plans hereby approved, or such other drawing as may be subsequently approved), has been submitted to and approved in writing by the Planning Authority, unless the planning authority has given prior written approval for a variation. No dwelling shall be occupied unless the open space is maintained in accordance with the approved scheme.

**Reason** – in the interest of protection of residential amenity and compliance with Aberdeen City Council Supplementary Guidance regarding Green Space Network and Open Spaces and Green Infrastructure.

## LAND AT CONTLAW ROAD, MILLTIMBER , ABERDEEN - 190409

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

That the application for detailed planning permission for a residential development comprising 30 dwelling houses with associated infrastructure, open space and landscaping at land at Contlaw Road, Milltimber Aberdeen, be approved with the conclusion of a legal agreement and subject to the following conditions:-

### **Conditions**

#### (1) Construction Environmental Management Plan

No development shall take place unless a detailed site-specific Construction Environmental Management Plan (CEMP), which contains:

- a site waste management plan;
- air quality (dust) risk assessment;
- dust management plan;

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- details of the dimension of the buffer strip adjacent to the neighbouring watercourse;
- details of the protection and maintenance of the buffer strip;
- details of how pollution of the River Dee will be prevented and details of the measures to be put in place to ensure workers on the site are aware of the requirement to avoid any impacts with protected species which may be encountered on the site;
- details of the design of construction phase works to ensure the water supply to the wetland area is maintained;
- details of protective fencing around the wetland area;
- the mitigation measures outlined in the Hydrogeological Risk Assessment; and
- all other required CEMP content as detailed in SEPA's three consultation responses dated: 2 April, 17 June and 30 July 2019,

has been submitted to and approved in writing by the planning authority, in consultation with SEPA. The approved plan shall be implemented in full for the duration of works on the site.

**Reason:** In order to protect the integrity and qualifying interests in the River Dee Special Area of Conservation, to protect the integrity and minimise adverse impacts on the site's wetland area and to ensure adequate waste management, prevent potential water pollution and impacts on adjacent amenity.

### (2) Paths and Roads

No dwelling shall be occupied unless a scheme showing the phasing of the provision of paths and internal roads on hereby approved Fairhurst drawing 125483/1001 Rev O connecting that dwelling to the surrounding pedestrian network has been submitted to and approved in writing by the planning authority. Thereafter all paths and roads (including pedestrian crossings on Contlaw Road; the boardwalks within the wetland area and all paths through the woodland) on drawing 125483/1001 Rev O, or another drawing as has been agreed in writing by the planning authority, shall be provided in accordance with the approved plans.

**Reason** – In order to ensure that the development, and each individual property, is satisfactorily connected to the surrounding pedestrian network.

### (3) Path Construction Methodology

Prior to any construction works taking place in relation to the 1.8m wide granite dust paths and timber boardwalks within the site or the section of 2m wide asphalt path adjacent to the site's eastern boundary as shown in hereby approved Stewart Milne Homes drawing 8012/110 Rev B), a construction methodology for those paths and boardwalks shall be submitted to, and agreed in writing by the planning authority and thereafter the works shall be carried out in full accordance with such agreed methodology.

**Reason** – In order to minimise the impact of the paths and boardwalks on the root protection areas of the existing adjacent trees and the species in the wetland area, and to preserve visual amenity and landscape character.

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### (4) External Finishing Materials

No development associated with the external finishing of any particular dwelling shall take place unless samples of all external finishing materials to the roof and walls of the proposed buildings has been submitted to and approved in writing by the planning authority. Thereafter the development shall be finished in complete accordance with the approved scheme unless a written variation has been approved by the planning authority.

**Reason** - In the interests of visual amenity.

### (5) Hard Surfaces

No development in laying hard surfaces shall take place until such time as details and samples (where appropriate) of the finishes for the hard surfaces (internal roads and driveways) within the development have been submitted to and agreed in writing by the planning authority. Thereafter the development shall be finished in complete accordance with the approved details unless a written variation has been approved by the planning authority.

**Reason** – In the interests of visual amenity.

### (6) Boundaries

No dwelling shall be occupied until such time as a phasing scheme of the site boundary enclosures for the entire development has been submitted to and approved in writing by the planning authority. Thereafter no dwelling shall be occupied unless the part of the agreed scheme relevant to that dwelling has been implemented.

**Reason** – In order to create a suitable residential and visual amenity.

### (7) Soft Landscaping

No works in connection with the development hereby approved shall take place unless a detailed scheme of soft landscaping works has been submitted to and approved in writing by the Planning Authority, in consultation with SEPA.

Details of the scheme shall include:

- (i) Existing landscape features and vegetation to be retained;
- (ii) The location of new trees, shrubs, hedges, grassed areas and water features;
- (iii) A schedule of planting to comprise species, plant sizes and proposed numbers and density;
- (iv) An indication of existing trees, shrubs and hedges to be removed;
- (v) A programme for the completion and subsequent maintenance of the proposed landscaping.

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of the development or such other date as may be agreed in writing with the Planning Authority. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.



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

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

(8) Tree Protection Plan

The tree protection measures recommended in the hereby approved Tree Survey Report (EnviroCentre – March 2019) shall be implemented in full during construction works.

**Reason** – In order to ensure the adequate protection of existing trees to be retained on and adjacent to the site that could be affected by development.

(9) External Lighting

No dwelling shall be occupied unless a phasing plan associated to the external lighting covering the footpaths and internal roads associated to that dwelling, which are not proposed to be adopted by the Roads Authority, has been submitted to and approved by the planning authority. Such phasing plan should reflect the approved details (Fairhurst drawing no. 125483/1008 Rev H), or in accordance with a similar scheme as has been submitted to, and agreed in writing by, the planning authority.

**Reason** – In order to create a suitable residential and visual amenity and ensure public safety.

(10) Waste Storage Provision

No dwelling shall be occupied unless the waste storage area for that particular dwelling (or set of dwellings) has been provided in accordance with Stewart Milne Homes drawing 8012/1000 Rev Y or such other drawing as may be approved in writing by the planning authority.

**Reason** - In order to ensure suitable waste storage facilities are available for residents and to protect public health.

(11) Water Efficiency

No development shall take place for any dwelling unless a scheme of water efficiency for dwellings has been submitted to and approved in writing by the planning authority. The statement should take into account the advice provided in CIRIA publication C723 (Water sensitive urban design in the UK) and specify the measures proposed to incorporate water saving technology into the development so as to achieve gold standard for water use efficiency in domestic buildings. Thereafter no dwelling shall be occupied unless the approved measures for that dwelling have been implemented in the construction of the development.

**Reason** – In order to reduce pressure on water abstraction from the River Dee and the impact on water infrastructure.

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### (12) Low and Zero Carbon Buildings

No development shall take place for any dwelling 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. Thereafter no dwelling shall be occupied unless any recommended measures specified within the agreed scheme for the reduction of carbon emissions have been implemented in full.

**Reason** - 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'.

### (13) Protection of Natural Habitats

The recommended mitigation measures specified in the following supporting documents shall be implemented before and during the construction works:

- Phase 1 Habitat and Protected Species Survey (EnviroCentre – June 2018)
- Potential Roost Features in Trees Suvery (EnviroCentre – May 2019)
- Statement of Predicted Impacts: Ecology (EnviroCentre: May 2019)
- Breeding Bird Survey (EnviroCentre: May 2019)
- Badger Protection Plan (EnviroCentre: May 2019)

**Reason:** In order to ensure that the impact of the construction works on natural habitats present on and surrounding the site is minimised and appropriately mitigated.

### (14) Drainage

All work shall be carried out in accordance with the hereby approved drainage scheme (Fairhurst Drainage Assessment March 2019: Issue 1) as detailed in the approved Fairhurst drawing no: 125483/2001 Rev I.

**Reason:** To ensure adequate protection of the site and adjacent water environment from surface water run-off.

### (15) Core Path Network

Prior to the occupation of the final dwelling, a detailed scheme for the erection of fingerpost wayfinding signs for the Core Path network shall be submitted to, and agreed in writing by, the planning authority. Thereafter, the core path signs shall be installed in accordance with the approved details.

**Reason:** In the interests of promoting and enhancing the use of the core path network.

### (16) Residential Travel Pack

Prior to the occupation of the first unit, a detailed Residential Travel Pack (RTP) shall be submitted to, and agreed in writing by, the planning authority and thereafter the approved travel pack shall be supplied to the occupants of all units upon occupation. The travel pack shall incorporate the measures noted in the applicant's Transport Statement in order to discourage the use of the private car and to encourage the use of alternative, more sustainable modes of transport.

**Reason:** In order to reduce dependency on private car travel.

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### (17) Play Facilities

No dwelling shall be occupied until such time as full details of the play equipment to be installed on the site, and a phasing scheme for their installation/ completion for use, been submitted to and approved in writing by the planning authority. Thereafter the play facilities shall be delivered and available for public use in line with such approved details and phasing scheme.

**Reason** - In order to create a suitable residential amenity.

### (18) Electric Vehicle Charging Points (Passive Provision)

No dwelling shall be occupied until such time as full details and a phasing scheme for the installation of electric vehicle charging (passive provision) infrastructure for all units has been submitted to and approved in writing by the planning authority. Thereafter no dwelling shall be occupied unless the part of the agreed scheme relevant to that dwelling has been implemented.

**Reason:** In order to facilitate the future installation of charging points for electric vehicles in future and to encourage the use of sustainable transport.

### (19) Contlaw Road/ North Deeside Road Junction RE-Lining

No dwelling shall be occupied until such time as full details of the re-lining of the existing Contlaw Road / North Deeside Road junction have been submitted to, and agreed in writing by, the Planning Authority and thereafter the agreed works have been implemented to the satisfaction of the Roads Authority.

**Reason:** In order to improve road safety.

### (20) Environmental Enhancements

No development or associated construction and material storage works within the wetland area (identified as the 'NVC Community' in EnviroCentre National Vegetation Classification Survey Drawing No. 371147-011 Rev A) shall take place until such time as the Northern Marsh Orchid growing locations within that area have been identified in full, to allow for the adequate protection of those areas during construction works. Where these locations are sited under the construction footprint, the orchids in those areas shall be removed and re-planted in accordance with a methodology and monitoring scheme submitted to, and agreed in writing by, the Planning Authority, in consultation with SEPA.

**Reason:** In order to offset the impacts of the development on the Northern Marsh Orchid species present on the site.

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

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

to approve the recommendation contained in the report and therefore approve the application conditionally and with the conclusion of a legal agreement, and an extra condition at 21 which would read:-

### (21) Public Open Space Maintenance

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No dwelling hereby granted planning permission shall be occupied unless a scheme for the maintenance of the public open space areas within the development site (i.e. softscape, excluding private gardens, as identified on Drawing No.223.32.01 Rev C of the plans hereby approved, or such other drawing as may be subsequently approved), has been submitted to and approved in writing by the Planning Authority, unless the planning authority has given prior written approval for a variation. Thereafter, the open space shall be maintained in accordance with the approved scheme.

**Reason** – In the interest of protection of residential amenity and compliance with Aberdeen City Council Supplementary Guidance regarding Green Space Network and Open Spaces and Green Infrastructure .

**51 CORTHAN CRESCENT, ABERDEEN - 191019**

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

That the retrospective application for the erection of a shed and fence to the rear, at 51 Corthan Crescent, be approved unconditionally.

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

**The Committee resolved:-**

to approve the application unconditionally.

**81 BRIGHTON PLACE ABERDEEN - 190778**

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 a change of use from amenity land to domestic garden ground to facilitate new access, driveway and erection of a boundary wall to the side at 81 Brighton Place Aberdeen, be approved subject to the following condition:-

**Condition**

Prior to development detailed plans shall be submitted for the construction of the replacement boundary wall, including, without prejudice to the foregoing generality, the materials to be used in that construction. All of which is to be submitted to and agreed by the Planning Authority in writing. The replacement boundary wall shall subsequently only be constructed in accordance with the agreed plans.

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

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**The Committee resolved:-**

to approve the application with an amended condition to read:-

“Prior to development detailed plans shall be submitted for the construction of the replacement boundary wall, including, without prejudice to the foregoing generality, the materials to be used in that construction. For the avoidance of doubt, it is expected that granite from the existing wall will be used in the replacement boundary wall. All of which is to be submitted to and agreed by the Planning Authority in writing. The replacement boundary wall shall subsequently only be constructed in accordance with the agreed plans.”

**DECLARATION OF INTEREST**

**In accordance with Article 1 of this minute, Councillor Malik left the meeting prior to consideration of the following item of business.**

**48 CORONATION ROAD PETERCULTER - 190751**

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

That the application for planning permission in principle for the erection of a dwelling house including splitting of the existing feu at 48 Coronation Road Peterculter, be refused.

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

**The Committee resolved:-**

to refuse the application.

- **Councillor Marie Boulton, Convener**

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