

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

ABERDEEN, 7 November 2019. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS). Present:- Councillor Stewart, Vice Convener; and Councillors Cooke, Copland, Cormie, Greig, Avril MacKenzie and Malik.

The agenda and reports associated with this minute can be found at [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.

DECLARATION OF INTEREST

In accordance with the declaration of interest noted at the Planning Development Management Committee of 31 October 2019, (article 2 refers), the meeting was chaired by the Vice Convener, Councillor Jennifer Stewart. Councillor Boulton spoke as a local member at the meeting in the Town House but was not permitted to attend the site visit. Councillor Boulton did not take part in the deliberation or discussion of this item, in line with the Councillors Code of Conduct, 7.15.

PROCEDURAL NOTE

1. The Committee had before it the procedure note for dealing with motions against an Officers recommendation.

The Committee resolved:-
to note the information.

APPROVAL OF MATTERS SPECIFIED IN CONDITION 1(IV) (CONSTRUCTION METHOD STATEMENT) RELATED TO PLANNING PERMISSION IN PRINCIPLE P120491 FOR THE ERECTION OF A DWELLINGHOUSE

2. With reference to article 7 of the minute of the Planning Development Management Committee of 31 October 2019, where it was agreed to defer the item in order that a site visit be undertaken, the Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for the approval of matters specified in condition 1 (iv) (Construction Method Statement) related to Planning Permission in Principle P120491 for the erection of a dwellinghouse, be approved subject to the following conditions:-

Conditions

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

7 November 2019

1. That the foundations for the temporary fence shall be in accordance with drawing SK01 Rev C and excavation, post construction removal and reinstatement of the ground shall be by hand digging only.

Reason: in the interests of protecting listed structures.

2. That prior to development commencing a full dilapidation photographic survey shall take place of all elevations of the listed retaining wall to the garden of Bielside House that bound the application site, including the gazebo. These shall be numbered and submitted to the planning authority together with a location plan sufficient to identify the location of each photograph. Within 2 months of the completion of the construction of the house (as defined by a Building Warrant completion certificate), a further set of photographs shall be taken and submitted to the planning authority, together with a formal assessment of the dilapidation photographs against the listed structures.

Reason: in the interests of preserving listed structures.

3. Tree stump grinding and construction, including excavation, shall not take place unless there remains in place and operating, vibration monitoring equipment in the vicinity of the listed structures in a position that shall be agreed in writing with the planning authority; vibration monitors shall have audible alarms. Vibrations shall not exceed 10 mm/s, with a first alarm warning at 5mm/s. The listed structures shall be monitored during piling, with visual inspections after each piling event, including checking of listed structures against dilapidation photographs. A record shall be kept of the maximum vibration level for each day where piling takes place. Should monitoring (in accordance with these conditions and the construction method statement) indicate impact on the listed structures, piling work shall cease and not take place unless there has been a report submitted to and approved in writing by the planning authority recording levels of vibrations and a revised construction methodology.

Reason: In the interests of preserving the listed structures.

4. That no scaffolding shall be permitted within the protected areas specified in the scheme of tree protection approved under application 170028/MSC other than in accordance with the details that have been submitted to and approved in writing by the planning authority and these shall accord with the relevant BS5837.

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

5. The structures required for the site hut and welfare area shall not be delivered to the site via the Deeside Walkway, unless details are submitted to and agreed in writing by the planning authority showing how this can be implemented without damage to trees.

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

7 November 2019

Reason In the interests of protecting trees.

6. No plant, machinery or construction vehicles shall access the area of the site in which construction is proposed to take place via either the western access to North Deeside Road, or via the Bielside Lodge / car park area and the eastern access. Where concrete shall be delivered by pipe via this route, this shall be only in accordance with the approved drawing showing location of pipe and including installation of restraints.

Reason: In the interests of protecting trees and listed structures.

7. The pipes for the underground services shall not be installed other than in accordance with further details of the thrust boring technique being submitted to the planning authority, including a report from a suitably qualified person on the suitability of the site, details of the machinery size and pit locations.

Reason: In the interests of protecting trees.

8. That in accordance with Ramsay and Chalmers drawing SK01 RevA (within the NORR Statement) the piling shall be no closer than 5.5m from the face of the listed retaining wall.

Reason: in the interests of preserving the listed structures.

9. That there shall be a suitably qualified engineer on site at all times during piling operations, for the purposes of monitoring and supervising the piling operations. That works shall not take place unless details, including name of company, qualifications and contact details of the engineer have been submitted to and approved in writing by the planning authority.

Reason: In the interests of preserving the listed structures.

Following the site visit, where Planning Officers showed Elected Members of the Committee around the area, presented relevant scheme drawings and pointed out significant features, the Committee met at the Town House and heard from Lucy Greene, Senior Planner, who spoke in furtherance of the application and answered various questions from members.

In line with the declaration of interest noted above, at this juncture, Councillor Boulton spoke to the Committee as a local member. Councillor Boulton explained that the application conflicted with various policies of the Aberdeen Local Development Plan which included NE1 – Green Space Network and NE9 - Access and Informal Recreation. Councillor Boulton advised that surveys had been carried out on the Deeside Way to count the number of people who used it and on average there were 500 individuals who used it daily, and noted that the safety of users and the disruption needed to be considered, as the Deeside Way would be out of action due to the construction, should the proposed dwelling be approved. Councillor Boulton indicated

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

7 November 2019

that it was crucial that the protection of the listed structure be considered. In regard to Policy D4, Historic Environment, Councillor Boulton advised that it was imperative to protect the listed wall structure and to ensure that it would not collapse. Councillor Boulton highlighted that the fence could stop it from being hit during construction, however felt that the vibration would affect it. Councillor Boulton also spoke with concern about the delivery of cement to the proposed site from North Deeside Road and noted that there had been road traffic collisions in the area previously. Councillor Boulton also highlighted how busy Cairn Road was.

In summary Councillor Boulton indicated that the proposal was at odds with Policies NE1 and NE9 of the Aberdeen Local Development Plan and felt that from a safety point of view, the application was not suitable. She advised that it was crucial for the protection of the listed structure, and should comply with Policy D4, and there was a statutory duty on elected members to protect the structure.

The Vice Convener, seconded by Councillor Cormie moved:-

- (1) that the proposed construction methodology as set out in supporting documents and plans together with the protection measures to be implemented did not provide certainty that the proposal would preserve the fabric of the listed wall and gazebo to Bielside House. This did not therefore accord with Policy D4 – Historic Environment in the Aberdeen Local Development Plan 2017; and
- (2) that the parking of vehicles to pump concrete from North Deeside Road would result in a road traffic and pedestrian safety hazard.

Councillor Cooke moved as an amendment, seconded by Councillor Copland:-

that the application be approved in line with the recommendation contained within the report.

On a division, there voted:- for the motion (5) – the Vice Convener, and Councillors Cormie, Greig, MacKenzie and Malik; for the amendment (2) – Councillors Cooke and Copland.

The Committee resolved:-

to adopt the motion and therefore refuse the application.

- **Councillor Jennifer Stewart, Vice Convener**

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)