

## **PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

ABERDEEN, 23 January 2020. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Boulton, Convener; Councillor Stewart, Vice Convener, the Depute Provost; and Councillors Allan, Cooke, Copland, Cormie, Delaney (as substitute for Councillor 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.**

### **MATTER OF URGENCY**

**The Convener accepted the following item as a matter of urgency in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973, as the deadline for responses was imminent.**

### **NOTIFICATION OF URGENT BUSINESS**

1. The Committee had before it a referral from the Capital Programme Committee of 22 January 2020, which requested:-

To refer the decision of the Capital Programme Committee to the Planning Development Management Committee on 23<sup>rd</sup> January 2020, asking them to consider instructing the Chief Executive to write to Historic Environment Scotland opposing the Listing buildings as Category A.

The Committee heard from Claire McArthur in this regard.

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

- (i) to note that a letter on behalf of the Planning Authority was currently being prepared raising a number of concerns in relation to technical aspects of the proposed listings identified in the urgent motion. The Planning Authority forms part of the regulatory process for assessing applications for works to listed buildings. If the decision by Historic Environment Scotland was to proceed with the listing of these buildings, the planning authority would therefore be involved in assessing any future applications for works to them and as such should not prejudice its impartial position by objecting at this time; and
- (ii) to therefore take no action.

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

23 January 2020

2. The Committee had before it the minute of the previous meeting of 5 December 2019, for approval.

**The Committee resolved:-**

to approve the minute as a correct record.

### MINUTE OF MEETING OF THE PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS) OF 18 DECEMBER 2019

3. The Committee had before it the minute of the Planning Development Management Committee (Visits) of 18 December 2019, for approval.

**The Committee resolved:-**

to approve the minute as a correct record.

### COMMITTEE PLANNER

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

Councillor Cooke questioned whether the Committee Effectiveness report would include the amount of planning applications considered and whether they were approved in line with officers' recommendations or refused, rather than just receiving information on reports.

**The Committee resolved:-**

- (i) to note the comment made in regards to the Committee Effectiveness report and noted that this was currently being investigated; and
- (ii) to otherwise note the information contained within the business planner.

### LAND TO THE REAR OF 44/46 BEDFORD ROAD ABERDEEN - 191536

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 six residential flats with associated landscaping, be approved with a legal agreement and subject to the following conditions:-

**Conditions**

- 1. The development hereby approved shall not be occupied unless the communal external amenity area / shared garden ground as identified on the drawings hereby approved [refs. A(03)001 rev.C; A(03)004 rev.D], or such other drawings

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

23 January 2020

as may be approved in writing by the planning authority, has been implemented / planted in full and is thereafter retained as landscaped communal space.

**Reason** - In order to ensure provision of adequate amenity for residents and ensure compliance with the objective of local plan policies D1: Quality Placemaking by Design, D2: Landscape, H1: Residential Areas and NE4: Open Space Provision in New Development.

2. No development shall take place pursuant to this planning permission unless construction details of the proposed street boundary wall along Bedford Place and a sample of the natural granite to be used on the external elevations of the building has been submitted to and approved in writing by the planning authority. The development hereby approved shall not be occupied unless such details as may be approved have been implemented in full.

**Reason** – In order to preserve the character and setting of the surrounding area and ensure compliance with the objective of local plan policies D1: Quality Placemaking by Design, D5: Our Granite Heritage and H1: Residential Areas.

3. The development hereby approved shall not be occupied unless secure cycle parking / storage facilities have been provided on site for occupants in accordance with the drawing hereby approved [A(03)004 rev.D], or such other drawing as may be approved in writing by the planning authority.

**Reason** – In order to ensure compliance with planning policy T2: Managing the Transport Impact of Development and reduce demand for car parking.

4. The development hereby approved shall not be occupied unless the bin storage area has been provided on site for occupants in accordance with the drawing hereby approved [A(03)004 rev.D], or such other drawing as may be approved in writing by the planning authority.

**Reason** – In order to ensure compliance with planning policy R6: Waste Management Requirements for New development

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

**The Committee resolved:-**

to approve the application conditionally with a legal agreement.

**SUNNYFIELD, OLD LANG STRACHT, KINGSWELLS - 191034**

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

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

23 January 2020

That the application for planning permission in principle for the erection of a residential development comprising 23 affordable dwellinghouses with associated landscaping, garden ground, parking and access road, be refused.

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

The Convener moved, seconded by Councillor Copland:-

That the application be refused in line with the recommendation contained in the report.

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

That there be a willingness to approve the application, subject to conditions and subject to an appropriate legal agreement to secure the developer obligations sums identified in the report and to ensure that the development was delivered as affordable housing. This was for the following reasons:-

- It was considered the provision of a wider range of affordable housing in Kingswells to be of benefit in allowing local residents with growing families to remain in the community;
- It was considered this was an acceptable departure from the Local Development Plan on the basis of being a development of exclusively affordable housing units. The proposal exceeds the requirements of Aberdeen Local Development Plan (ALDP) policy H5 (Affordable Housing), which requires 25% of any housing development to be provided as affordable units. This is consistent with the ALDP, which states *“To maximise the provision of affordable housing it is the aim of the Council to take a flexible approach to its delivery, with a view to maximising opportunities to achieve the highest level possible”*;
- It was noted that part of the site was currently zoned for residential use (policy H1 applies), and as such there was no conflict with the Development Plan on that portion of the site;
- Whilst it is recognised that policy NE2 (Green Belt) does not provide for such development, it was noted that the site was relatively small-scale and would not result in any coalescence or loss of integrity for Kingswells as a distinct settlement, and the proposed structural landscape planting along the northern and eastern boundaries of the site would assist in mitigating the visual impact of the proposal and any adverse impact on the character and amenity of the green belt, such that the development would not undermine these key aims of Green Belts, as expressed by Scottish Planning Policy (SPP).

### **Conditions**

#### **(1) DETAILED DESIGN**

No development pursuant to this Planning Permission in Principle may be undertaken unless details of a finalised site layout have first been submitted to, and approved in writing by, the planning authority, via a formal application for the approval of matters specified in conditions (AMSC). Any such application shall include details of the following matters:

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

23 January 2020

- Full details of the site access and internal road layout, including: identification of the adoptable extent of roads and footpaths; connections to surrounding road and path infrastructure; details of materials used in roads & footpaths construction; swept-path diagrams illustrating the accessibility of the internal road layout to refuse vehicles; details of traffic calming measures on the main access road; details of the site access from Old Lang Stracht; and the finalised route of a rural footpath around the site, making connection to the roadside footway on Old Lang Stracht;
- The layout, orientation and detailed design of buildings, including elevational treatment, materials specification and boundary treatments/enclosures;
- Hard and soft landscaping, including: details of the location, species and size at time of planting of any new trees, including the composition of structural landscaping along the northern and eastern boundaries; details of any other landscape planting throughout the site, including areas of identified public open space; details of the timing/phasing of landscaping works, to include 'advance greening' whereby structural landscape planting is undertaken as early as is practicable to offset landscape & visual impact; measures for the protection of any such early planting during the construction phase; and arrangements for the management and maintenance of open space within the site.

Thereafter, development shall not be carried out other than in full accordance with the details so approved.

**Reason:** In order to ensure that the development is of a high quality, demonstrating due regard for its context and making a positive contribution to its setting, with any adverse impacts on landscape mitigated as far as is practicable, as required by policies D1 (Quality Placemaking by Design) and D2 (Landscape) of the Aberdeen Local Development Plan.

**(2) LOW AND ZERO CARBON BUILDINGS**

No dwelling within the development hereby approved shall be occupied unless a scheme detailing compliance with the Council's 'Resources for New Development' supplementary guidance has first been submitted to, and approved in writing by, the planning authority via a formal application for the approval of matters specified in conditions (AMSC). Thereafter, no dwellings within the development may be occupied unless any approved measures to reduce carbon emissions have been implemented in full.

**Reason:** to ensure that the development incorporates appropriate measures to reduce carbon emissions and ensure compliance with policy R7 (Low and Zero Carbon Buildings and Water Efficiency) of the Aberdeen Local Development Plan.

**(3) WATER SAVING**

No dwelling within the development hereby approved shall be occupied unless a scheme detailing the incorporation of water saving technologies/techniques has first

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

23 January 2020

been submitted to, and approved in writing by, the planning authority via a formal application for the approval of matters specified in conditions (AMSC). Thereafter, no dwellings within the development may be occupied unless any approved technologies/techniques have been implemented in accordance with the details so agreed.

**Reason:** to ensure that the development incorporates appropriate measures to reduce water usage and ensure compliance with policy R7 (Low and Zero Carbon Buildings and Water Efficiency) of the Aberdeen Local Development Plan and the associated 'Resources for New Development' Supplementary Guidance.

### (4) DUST MANAGEMENT PLAN

No development pursuant to this Planning Permission in Principle may be undertaken unless a detailed Dust Management Plan, including control measures to be implemented during construction, has first been submitted to, and approved in writing by, the planning authority via a formal application for the approval of matters specified in conditions (AMSC). Thereafter, all works shall be undertaken in accordance with the Dust Management Plan so agreed.

**Reason:** to mitigate construction-related impact on neighbouring properties.

### (5) CAR PARKING

No development pursuant to this Planning Permission in Principle may be undertaken unless full details of on-site car parking, including proposals for accessible disabled spaces and electric vehicle charging infrastructure (1 active charging point and 2 passive charging points), have first been submitted to, and approved in writing by, the planning authority via a formal application for the approval of matters specified in conditions (AMSC). Thereafter, no dwellings within the development may be occupied unless the approved parking provision has been fully constructed and made available for use.

**Reason:** to ensure that adequate car parking is provided on site, and to ensure compliance with the Council's relevant 'Transport and Accessibility' Supplementary Guidance.

### (6) RESIDENTIAL TRAVEL PACK

No dwelling within the development hereby approved shall be occupied unless full details of a Residential Travel Pack to be distributed to residents upon occupation have first been submitted to, and approved in writing by, the planning authority via a formal application for the approval of matters specified in conditions (AMSC). Thereafter, no dwellings within the development may be occupied unless the approved Residential Travel Pack has been provided to the occupier.

**Reason:** to ensure that residents are made aware of sustainable travel options in the local area, and to encourage sustainable travel, in accordance with policy T3 (Sustainable and Active Travel) of the Aberdeen Local Development Plan.

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

23 January 2020

**(7) DRAINAGE**

No development pursuant to this Planning Permission in Principle shall be undertaken unless full drainage details, based on the finalised site layout and including proposals for the incorporation of Sustainable Urban Drainage Systems, have first been submitted to, and approved in writing by, the planning authority via a formal application for the approval of matters specified in conditions (AMSC). Thereafter, no dwellings within the development may be occupied unless the approved drainage infrastructure has been implemented in full.

**Reason:** to ensure that the site is adequately drained and to demonstrate accordance with policy NE6 (flooding, Drainage and Water Quality) of the Aberdeen Local Development Plan.

**(8) WASTE / RECYCLING**

No development pursuant to this Planning Permission in Principle may be undertaken unless details of waste management proposals, including arrangements for the segregation, storage, collection and management of residential waste, have first been submitted to, and approved in writing by, the planning authority via a formal application for the approval of matters specified in conditions (AMSC). Thereafter, no dwelling shall be occupied unless provision has been made on site in accordance with the details so agreed.

**Reason:** to ensure that adequate provision is made on site for the storage and collection of waste and recyclables, as required by policy R6 (Waste Management Requirements for New Development).

**(9) NOISE MITIGATION DURING CONSTRUCTION**

No development pursuant to this Planning Permission in Principle may be undertaken unless details of an acoustic barrier to be erected during construction as a means of mitigating noise impact on neighbouring residents have first been submitted to, and approved in writing by, the planning authority via a formal application for the approval of matters specified in conditions (AMSC).

Thereafter, the approved noise barrier shall be erected and retained as approved.

**Reason:** to ensure that construction-related noise is appropriately mitigated in order to protect the amenity of neighbouring residents.

**(10) BUS STOP UPGRADE**

No development pursuant to this Planning Permission in Principle may be undertaken unless a scheme detailing full specifications for the upgrading of the existing bus stop on the west side of Fairley Road, 75m south of Kingswood Drive, to provide a shelter and a raised kerb, has first been submitted to, and approved in writing by, the planning authority (in consultation with the Council's Public Transport Unit) via a formal application for the approval of matters specified in conditions (AMSC).

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

23 January 2020

Thereafter, no dwelling within the development shall be occupied unless the bus stop has been upgraded in full accordance with the approved scheme.

**Reason:** to encourage sustainable travel and reflect the potential for increased usage as a result of the approved development, consistent with the Council's 'Transport and Accessibility' Supplementary Guidance.

### (11) AIRPORT SAFEGUARDING (1)

No development shall commence until the location, height, layout, form and materials of buildings and structures within the proposed development have been submitted to and approved in writing by the planning authority in consultation with Aberdeen Airport.

**Reason:** Buildings/structures in the proposed development may penetrate the obstacle Limitation Surface (OLS) surrounding Aberdeen Airport and could endanger aircraft movements and the safe operation of the aerodrome; and:

Buildings/structures in the proposed development may interfere with communication, navigation aids and surveillance equipment and could endanger aircraft movements and the safe operation of the aerodrome.

### (12) AIRPORT SAFEGUARDING (2)

No development shall take place until full details of soft and water landscaping works have been submitted to and approved in writing by the Planning Authority in consultation with Aberdeen Airport. Details must comply with Advice Note 3 'Potential Bird Hazards from Amenity Landscaping & Building Design' (available at [www.aoa.org.uk/publications/safeguarding.asp](http://www.aoa.org.uk/publications/safeguarding.asp)). These details shall include:

- The species, number and spacing of trees and shrubs
- Drainage details including SUDS – Such schemes must comply with Advice Note 6 'Potential Bird Hazards from Sustainable urban Drainage Schemes (SUDS)' (available at [www.aoa.org.uk/publications/safeguarding.asp](http://www.aoa.org.uk/publications/safeguarding.asp)).

No subsequent alterations to the approved landscaping scheme are to take place unless submitted to and approved in writing by the Planning Authority in consultation with Aberdeen Airport. The scheme shall be implemented as approved.

**Reason:** To avoid endangering the safe movement of aircraft and the operation of Aberdeen Airport through the attraction of birds and an increase in the bird hazard risk of the application site.

On a division, there voted, for the motion (4) – the Convener and Councillors Copland, Delaney and MacKenzie; for the amendment (5) – the Vice Convener and Councillors Allan, Cooke, Cormie and Malik.

**The Committee resolved:-**

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

23 January 2020

to adopt the amendment and therefore approve the application conditionally subject to a legal agreement and contributions to developer obligations.

**LAND TO THE NORTH OF 15 CRAIGDEN , ABERDEEN - 190815**

7. 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 two-storey 21-bed care home with associated access, car parking and landscaping, at land to the north of 15 Craighden Aberdeen, be refused.

**The Committee resolved:-**

to agree that the application be deferred for a site visit, which would take place on Thursday 30 January 2020 from 9.30am.

- **Councillor Marie Boulton, Convener**

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**  
23 January 2020