

## **PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

ABERDEEN, 20 April 2023. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Bouse, Convener; and Councillors Clark, Cooke (for all items except item 6), Copland, Crockett, Farquhar, Henrickson, Houghton (as substitute for Councillor Boulton), Lawrence (as substitute for Councillor Blake), McRae, Mrs Stewart, van Sweeden (as substitute for Councillor Alphonse) and Thomson.

**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 OR CONNECTIONS**

1. Councillor Cooke advised that in relation to item 6.3 on the agenda, land adjacent to Westburn House, Westburn Park, Westburn Road, that he was an observer on the Board of Sport Aberdeen. Councillor Cooke advised that he would leave the meeting when the application was considered and would take no part in the deliberation or the determination of the application.

### **MINUTE OF MEETING OF THE PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 9 MARCH 2023**

2. The Committee had before it the minute of the previous meeting of 9 March 2023 for approval.

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

to approve the minute as a correct record.

### **COMMITTEE PLANNER**

3. The Committee had before it the committee business planner, as prepared by the Interim Chief Officer – Governance.

In relation to item 9 on the planner, Guidance on Outdoor Seating, the Committee heard from the Chief Officer – Strategic Place Planning, who provided a verbal update in regard to the adoption of the Local Development Plan (LDP) 2020. Mr Dunne advised that any guidance in relation to the new LDP would be delayed until after the LDP was adopted by the Scottish Government and hence the delay with the Guidance on Outdoor Seating being reported to committee.

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**The Committee resolved:-**

to note the planner and the information provided by the Chief Officer – Strategic Place Planning.

**495- 499 GREAT WESTERN ROAD ABERDEEN - 221298**

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 change of use from class 2 (financial, professional and other services) to class 3 (food and drink); change of use from pavement to outdoor seating area with associated enclosure and the installation of canopy and kitchen extract flue at 495-499 Great Western Road Aberdeen, be approved subject to the following 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) FORMATION OF BIN STORE AREA**

The hereby approved use shall not operate unless the bin store area shown in the approved plans under planning permission 230195/DPP, or similar as may be agreed in writing with the Council, has been installed and appropriate commercial bins have been made available for the storage of any waste and recyclables generated by the use.

Reason: In the interests of ensuring the satisfactory storage and collection of waste and recyclables without detriment to the amenity or character of the area.

**(3) CYCLE PARKING**

The hereby approved use shall not operate unless two cycle parking loops have been installed for use by customers as shown on approved Ground Floor Layout Plan drawing P01 Revision D.

Reason: In order to encourage and facilitate the accessibility of the new use via sustainable and active modes of travel.

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**(4) LOCAL EXTRACT VENTILATION SYSTEM**

No cooking or frying operations (including but not limited to: deep fat frying, shallow frying, oven cooking, boiling, stewing, grilling or broiling) shall be carried out within the café premises unless the Local Extract Ventilation System detailed in Figures 3 & 4 and Section 5.3 of the hereby approved Odour Assessment (FEC Ltd 'Kitchen Ventilation Report including Odour Assessment' - Issue 01, 3rd February 2023), or a similar system as may be agreed in writing with the Council, with critical odour mitigation measures achieving at least an equivalent effect of those measures stated has been installed, including:

1. Grease baffle filters within extract canopy (providing initial grease removal/fire protection) as detailed within section 5.3.3 and Appendix C
2. A two-stage carbon filter unit incorporating a washable panel/bag pre-filter followed by carbon filtration (with a minimum 0.2 second carbon filters residence time) as detailed within section 5.3.4 and Appendix C
3. A high velocity vertical discharge cowl with bird mesh and an internal drain as detailed within section 5.3.6 and Appendix C-5.

Thereafter the use shall not operate unless the approved Local Extract Ventilation System is in place and operational.

Reason: In order to preserve the amenity of surrounding properties and the area by adequately filtering cooking odours.

**(5) NOISE MITIGATION**

The hereby approved use shall not operate unless:

1. Kitchen intake/extract fans with equivalent or lower noise emissions to those detailed in sections 2.3 & 2.4 and appendices 8.2 & 8.3 of the hereby approved Noise Impact Assessment (FEC Acoustics, 7 February 2023) have been installed, and evidence of this installation has been provided to, and agreed in writing by, the Planning Authority; and
2. Evidence has been provided to, and agreed in writing by, the Planning Authority to demonstrate that the café ceiling has been insulated to give a minimum total reduction in sound from the café to the first-floor flats of 47dB. Such evidence should be verified in writing by a professional noise consultant based on agreed inspection checks during and after work on site.

Reason: In order to protect the amenity of neighbouring residents from noise emissions associated to the café's cooking operations and customers.

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**(6) OPENING HOURS**

The hereby approved use and associated outdoor seating shall only operate between the hours of 8am to 11pm on any given day.

Reason: In order to protect the amenity of neighbouring residents from noise and activity during the quieter, more sensitive late evening and early morning periods.

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

The Committee then heard from Colin Speirs, who objected to the application.

The Committee then heard from the applicant George Tester and his daughter Lucy Slatter who spoke in support of the application.

**The Committee resolved:-**

to approve the application conditionally.

**108A NORTH DEESIDE ROAD ABERDEEN - 221146**

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 a domestic detached garage at 108A North Deeside Road 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 Roy Brown, who spoke in furtherance of the application and answered various questions from members.

**The Committee resolved:-**

to approve the application conditionally.

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**At this juncture, and in accordance with article 1 of the minute, Councillor Cooke left the meeting.**

**LAND ADJACENT TO WESTBURN HOUSE, WESTBURN PARK, WESTBURN ROAD, ABERDEEN - 230140**

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

That the application for time limited detailed planning permission for the erection of a temporary hot food unit (retrospectively) at land adjacent to Westburn House, Westburn Park, Westburn Road Aberdeen, be approved subject to the following conditions:-

**Conditions****(1) DURATION OF PERMISSION**

The development to which this notice relates must be begun not later than the expiration of one year beginning with the date of this notice. If development has not begun at the expiration of the one-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.

**(2) TIME LIMIT**

The hereby approved temporary hot-food takeaway building and any associated structures and equipment shall be removed from the site by no later than 30 April 2025.

Reason: The character and siting of the building is not such as to warrant its retention on a permanent basis – in the interests of preserving visual amenity, the setting of Westburn House and the character and appearance of the conservation area.

**(3) TIMBER CLADDING & BIN STORE INSTALLATION**

The hereby approved hot-food takeaway building shall not be operated unless its external walls have been clad with timber linings and the secure bin store enclosure has been installed, as per approved drawing 1071-01 Rev B.

Reason: In order to ensure that the temporary building would have a more appropriate appearance for the setting of the area and that any waste generated by the use would be adequately stored pending collection.

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

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The Committee then heard from the applicant, Lefki Christodoulou, who spoke in support of the application.

**The Committee resolved:-**

to approve the time limited application conditionally.

**91 ASHLEY ROAD ABERDEEN - 230201**

7. 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 installation of CCTV cameras retrospectively at 91 Ashley Road Aberdeen, be approved unconditionally.

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

The Committee then heard from Sandy McRobbie and Diane Londrigan who spoke against the application, having submitted an objection to the application.

The Committee then heard from the applicant Scott Glennie, who spoke in support of the application.

**The Committee resolved:-**

to approve the application unconditionally.

**34 DON STREET ABERDEEN - 221540**

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

That the application for conservation area consent for the complete demolition of a fence at 34 Don Street Aberdeen, be approved unconditionally.

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

The Committee then heard from Steve Berry – Old Aberdeen Community Council, who objected to the application.

**The Committee resolved:-**

to approve the application unconditionally.

- **Councillor Bouse, Convener**