

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 21 September 2023. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor McRae, Convener; Councillor Bouse, Vice-Convener; and Councillors Alphonse, Boulton, Clark, Cooke, Copland, Farquhar, Lawrence, Macdonald, Radley 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.**

### REFERRAL FROM FULL COUNCIL - ENERGY TRANSITION ZONE

1. With reference to Article 6 of the minute of meeting of Council of 11 September 2023, the Committee had before it a referral in the following terms:-

To recommend to the Planning Development Management Committee that any future reports of the Energy Transition Zone (ETZ) Masterplan be reported to the earliest appropriate meeting of Full Council.

The Convener moved, seconded by the Vice Convener:-

That the Committee accept the recommendation from Council.

Councillor Boulton moved as an amendment, seconded by Councillor Farquhar:-

That this Committee continue to receive ETZ Masterplan reports and not Council.

On a division, there voted – for the motion (10) – the Convener, the Vice Convener and Councillors Alphonse, Cooke, Copland, Clark, Lawrence, Macdonald, Radley and Thomson – for the amendment (2) Councillors Boulton and Farquhar.

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

to adopt the motion and therefore agree that any future reports of the Energy Transition Zone (ETZ) Masterplan be reported to the earliest appropriate meeting of Full Council.

### MINUTE OF MEETING OF THE PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 24 AUGUST 2023

2. The Committee had before it the minute of the previous meeting of 24 August 2023, for approval.

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

to approve the minute as a correct record.

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### COMMITTEE PLANNER

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

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

to note the committee business planner.

### 92-126 JOHN STREET ABERDEEN - 230514

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 student accommodation (circa 383 beds) with associated infrastructure and landscaping at 92-126 John Street Aberdeen, be approved subject to a legal agreement and the following conditions:-

#### **Reason for recommendation:-**

The proposed building had been designed with due consideration for its context and would have no adverse impact on the character or amenity of the surrounding area, being of an appropriate size scale and design, with the proposed use as student accommodation considered to be acceptable within this mixed use setting. All relevant technical considerations had been resolved, or could be controlled via appropriately worded planning conditions. The proposal was therefore in accordance with Policies 1: Tackling the climate and nature crises, 2: Climate mitigation and adaptation, 3: Biodiversity, 7: Historic assets and places, 9: Brownfield, vacant and derelict land and empty buildings, 12: Zero waste, 13: Sustainable transport, 14: Design, quality and place, 15: Local living and 20-minute neighbourhoods, 16: Quality homes, 22: Flood risk and water management, 24: Digital infrastructure of National Planning Framework 4 and with Policies WB2: Air Quality, WB3: Noise. NE4: Our Water Environment, D1: Quality Placemaking, D2: Amenity, D3: Big Buildings, D4: Landscape, D6: Historic Environment, R2: Degraded and Contaminated Land, R5: Waste Management Requirements for New Development, R6: Low and Zero Carbon Buildings, and Water Efficiency, H2: Mixed Use Areas, H7: Student Accommodation Developments, I1: Infrastructure Delivery and Planning Obligations, T2: Sustainable Transport, T3: Parking and CI1: Digital Infrastructure of the Aberdeen Local Development Plan 2023.

#### **Conditions**

(01) DURATION OF PERMISSION

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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 detailing all external finishing materials to the roof and walls of the development hereby approved, including large scale sample boards of the proposed brick and all elements cladding and window detailing, along with further details of the design features to both the bin store and office building at ground floor level 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.

Reason - in the interests of visual amenity.

**(03) PARKING/ CYCLE PARKING AND BIN STORAGE IN ACCORDANCE WITH APPROVED PLANS**

That the development hereby approved shall not be occupied unless the car parking, cycle parking and bin storage areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing No. 12483-HFM-B1-XX-DR-A-02 010 P02 and 12483-HFM-B1-XX-DR-A-02 051 P03 of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the Planning Authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of cars ancillary to the development and use thereby granted approval.

Reason - in the interests of public safety and the free flow of traffic and to ensure that the site is adequately serviced.

**(04) AIR QUALITY DUST RISK ASSESSMENT**

That no development shall take place (including site stripping or service provision) unless an Air Quality (Dust) Risk Assessment for the construction phase of development has been submitted to and approved in writing by the Planning Authority. Such risk assessment shall be carried out by a suitably qualified consultant in accordance with the Institute of Air Quality Management document "Guidance on the Assessment of Dust from Demolition and Construction 2014". Thereafter development shall be carried out in accordance with the approved plan.

Reason: in order to control air pollution from dust associated with the development in accordance with Policy WB2: Air Quality of the Aberdeen Local Development Plan 2023.

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**(05) DUST MANAGEMENT PLAN**

That no development (including site stripping or service provision) shall take place unless a Dust Management Plan for the construction phase of development has been submitted to and approved in writing by the Planning Authority. Such management plan shall specify dust mitigation measures and controls, responsibilities, and any proposed monitoring regime. Thereafter development (including demolition) shall be undertaken in accordance with the approved plan.

Reason - In order to control air pollution from dust associated with the construction of the development in accordance with Policy WB2: Air Quality of the Aberdeen Local Development Plan 2023.

**(06) NOISE IMPACT ASSESSMENT COMPLIANCE**

That the development hereby approved shall not be occupied unless the noise mitigation measures have been installed in accordance with the conclusions and recommendations set out in the approved Noise Impact Assessment (Sandy Brown Limited (Reference: 23119-R01-B, Version B Date: 28 Apr 23) and evidence of this installation has been provided to, and agreed in writing by, the Planning Authority. For avoidance of doubt this should include the following:

- a) Section 7.1, table 6 and associated figure 7 regarding glazing and trickle ventilators;
- b) Section 7.3.1 regarding provision of the rooftop 3 metre high parapet wall;
- c) Section 7.3.1 regarding the number of Air Source Heat Pumps limited to 6 units.
- d) Section 7.3.3 and Compliance with the octave band centre frequency data for plant (super Low Noise Unit) WSAN-YSC4 EN, Lw (dB) contained within table 7, lining of parapet with a suitable sound absorbing material and noise levels from any ventilation louvres grilles etc associated with the proposed heating plant room should not exceed NR 50 at 3 m distance.

Once installed the mitigation measures shall be retained in perpetuity.

Reason: in the interests of amenity and to ensure compliance with Policy WB3: Noise of the Aberdeen Local Development Plan 2023.

**(07) FULL FIBRE BROADBAND**

That the development hereby approved shall not be occupied unless a scheme for the provision of a full fibre broadband connection to the building has been submitted to and approved in writing by the Planning Authority. Thereafter the scheme shall be

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implemented as approved and all rooms within the student accommodation provided with a full fibre broadband connection.

Reason – in order to provide all flats with access to high-speed communications infrastructure, in accordance with the requirements of Policy CI1 (Digital Infrastructure) of the Aberdeen Local Development Plan 2023 and Policy 24 (Digital infrastructure) of National Planning Framework 4.

**(08) LOW AND ZERO CARBON**

No development shall take place unless a scheme detailing compliance with the Council's Resources for New Development Guidance has been submitted to and approved in writing by the Planning Authority. Thereafter no units shall be occupied unless the recommended measures specified within that scheme for that unit for the reduction of carbon emissions have been implemented in full.

Reason - to ensure that the development complies with requirements for reductions in carbon emissions specified in the City Council's relevant published Interim Planning Advice: Resources for New Development.

**(09) FLOOD RISK ASSESSMENT COMPLIANCE**

That the development hereby approved shall not be occupied unless carried out in full accordance with the conclusions and recommendations set out in the approved Flood Risk Assessment (Fairhurst Reference: 152031 - FRA 02 ISS 03 Date 2nd June 2023) and evidence of this compliance has been provided to, and agreed in writing by, the Planning Authority.

Reason: to ensure that the site can be adequately drained and to ensure that the site is not susceptible to flooding.

**(10) GREEN TRAVEL PLAN**

That the development hereby approved shall not be occupied unless there has been submitted to and approved in writing by the Planning Authority a detailed Green Transport Plan, which outlines sustainable measures to deter the use of the private car, in particular single occupant trips and provides detailed monitoring arrangements, modal split targets and associated penalties for not meeting targets.

Reason - in order to encourage more sustainable forms of travel to the development.

**(11) STUDENT MANAGEMENT PLAN**

That prior to the occupation of the development hereby approved, a student management plan shall be submitted to and approved in writing by the Planning Authority and the use shall be undertaken in accordance with the details so approved and shall be so

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maintained. The management plan shall include details on health and safety standards and procedures; maintenance and repairs; environmental quality; landlord and tenant relationship; student welfare; anti-social behaviour and disciplinary procedures; and administration and compliance procedures.

Reason - To ensure a satisfactory standard of accommodation is provided and in the interests of the amenity of the area.

### (12) GEO ENVIRONMENTAL ASSESSMENT

Prior to the commencement of the development hereby approved, a Geo-Environmental Assessment, which follows the conclusions and recommendations of the submitted Desk Top Survey (Ref: 152031 01), shall be submitted to and approved by the Planning Authority. For avoidance of doubt, the survey shall also include an assessment on human health risks.

Reasons – to ensure that the site remains suitable for human occupation.

### (13) BUS STOP UPGRADES

That prior to the occupation of the student accommodation hereby approved, details of bus stop upgrades to the existing facilities on John Street shall be submitted to and approved in writing by the Planning Authority. Prior to the discharge of this condition, confirmation shall be sought from the Council's Public Transportation Unit that such upgrades are acceptable, or are not required. Thereafter the agreed works shall be implemented in accordance with an approved scheme and implemented prior to occupation.

Reason: to ensure that the development would have access to more sustainable modes of transportation.

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

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

to approve the application conditionally, subject to a legal agreement and the following changes:-

- Amendment to the reason for approval to remove reference to Policy H2 (Mixed Use Areas) and add reference to Policy H1 (Residential Areas).
- Condition 11 amended to read:-

That prior to the occupation of the development hereby approved, a student management plan shall be submitted to and approved in writing by the Planning Authority and the use shall be undertaken in accordance with the details so approved

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and shall be so maintained. The management plan shall include details on health and safety standards and procedures; maintenance and repairs; environmental quality; landlord and tenant relationship; parking arrangements including term time drop offs and deliveries, student welfare; anti-social behaviour and disciplinary procedures; and administration and compliance procedures.

Reason - To ensure a satisfactory standard of accommodation is provided and in the interests of the amenity of the area.

- Additional informative added as follows:-

That the applicant should consider inclusive design and ensure that the development would allow for accessible accommodation, in particular the proposed bedrooms and associated spaces at ground floor level and into the communal areas within the development.

- **Councillor Ciaran McRae, Convener**