

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 22 August 2024. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor McRae, Convener; Councillor Greig, Vice Convener; and Councillors Alphonse, Blake (as substitute for Councillor Boulton), Clark, Copland, Farquhar, Lawrence and Macdonald.

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.

MINUTE OF MEETING OF THE PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 20 JUNE 2024

1. The Committee had before it the minute of the previous meeting of 20 June 2024, for approval.

The Committee resolved:-

to approve the minute as a correct record.

MINUTE OF MEETING OF THE PLANNING DEVELOPMENT MANAGEMENT COMMITTEE PUBLIC HEARING OF 28 MAY 2024 - FOR APPROVAL

2. The Committee had before it the minute of the Planning Development Management Committee Public Hearing of 28 May 2024, 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.

The Committee resolved:-

- (i) to note the reason for the delay in relation to item 6, Land at Rigifa, Cove Road, Aberdeen; and
- (ii) to note the committee business planner.

LAND AT PERSLEY CROFT, PARKWAY, ABERDEEN - 231134

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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 battery energy storage system (BESS) development with a capacity up to 49.9MW including erection of a welfare unit, substation and fencing; demolition of an existing building and associated infrastructure, at Land at Persley Croft, Parkway, Aberdeen, be approved subject to the following conditions:-

Conditions

(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.

PRE-COMMENCEMENT OF DEVELOPMENT

(02) TREE PROTECTION FENCING

No development (including demolition or site setup) shall take place unless

- (i) a scheme to protect the trees to be retained out with the site has been submitted to and approved in writing by the planning authority; and
- (ii) the approved tree protection fencing is in place.

Thereafter, the fencing shall remain in place for the duration of construction of the development.

Reason – to protect trees and vegetation from damage during construction.

(03) SITE INVESTIGATION

No development (including demolition or site setup) shall take place unless a scheme to deal with any contamination on the site has been submitted to and approved by the planning authority.

The scheme shall follow the procedures outlined in Planning Advice Note 33 (Development of Contaminated Land) and shall be conducted by a suitably qualified person in accordance with best practice as detailed in BS 10175 (Investigation of Potentially Contaminated Sites – Code of Practice) and other best practice guidance and shall include:

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- a) an investigation to determine the nature and extent of contamination,
- b) a site-specific phase 2 risk assessment,
- c) a remediation plan to address any significant risks and ensure the site is fit for the use proposed.

The development shall not be brought into use unless –

- a) any long-term monitoring and reporting that may be required by the approved scheme of contamination or remediation plan or that otherwise has been required in writing by the planning authority is being undertaken; and
- b) a report has been submitted and approved in writing by the planning authority that verifies that remedial works to fully address contamination issues have been carried out, unless the planning authority has given written consent for a variation.

Reason – to ensure that the land is made suitable for the new use and avoid unacceptable risks to human health and the environment.

(04) NOISE – EQUIPMENT

No development shall take place unless evidence has been submitted to and approved in writing by the planning authority that the warranted sound power levels of the chosen equipment meets the assumptions considered in the Noise Impact Assessment P-22-489-R02v5 produced by Hepworth Acoustics.

Where the proposed items are found to vary in sound power level from the assumptions, to confirm that the operational noise levels will meet the relevant criteria (noise limits) an updated noise impact assessment shall be undertaken and submitted to and approved in writing by the planning authority.

Reason – to protect surrounding residential properties from any unreasonable noise generated by the development.

(05) LANDSCAPING

All soft landscaping proposals shall be carried out in accordance with the approved scheme of landscaping (Pegasus Group drawing P22-2723_EN_0004 (Rev.E) or such other drawing approved for the purpose) 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 five years from the completion of the development, in the opinion of the planning authority is dying, is 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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Reason – to satisfactorily integrate the development into the surrounding area and enhance biodiversity.

PRE-USE OF DEVELOPMENT**(06) DRAINAGE**

The development hereby approved shall not be brought into use unless all drainage works detailed in the approved Drainage Assessment (8600 (Rev. P03) and drawing 8600-MJM-XX-XX-DR-C-5200 (Rev. P07) produced by MJM (or such other details approved for the purpose) have been installed in accordance with the approved details and are available for use.

Reason – to safeguard water qualities, prevent flooding and ensure that the proposed development can be adequately drained.

(07) PROVISION OF NOISE BARRIER

The development hereby approved shall not be brought into use unless the noise barrier recommended in Noise Impact Assessment P-22-489-R02v5 produced by Hepworth Acoustics has been installed in accordance with paragraph 4.10 and figure 2 of the assessment (or such other details approved for the purpose).

Thereafter, the barrier shall remain in place for the duration of the life of the development and shall be maintained to ensure that it continues to perform to the minimum specifications in paragraph 4.10 of the assessment.

Reason – to protect surrounding residential properties from any unreasonable noise generated by the development.

RESTORATION**(08) CESSATION OF OPERATION**

The operator of the battery energy storage system shall notify the planning authority in writing if the site does not function for a continuous period of more than six months. The notification must occur within one month of the expiry of the six-month period.

Reason – to define the cessation of operation and to give effect to the restoration of the development site.

(9) DECOMMISSIONING

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Six months prior to the decommissioning of the battery energy storage system, a decommissioning and site restoration scheme shall be submitted for the written approval of the planning authority.

The scheme shall provide details of (i) how equipment, ancillary structures and infrastructure located within the development hereby approved would be decommissioned and removed and the site made good and (ii) a timescale for these actions.

Thereafter, decommissioning and the making good of the site shall be carried out in accordance with the approved restoration scheme.

Reason – to ensure satisfactory restoration of the site and continued integrity of the green belt.

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

The Committee then heard from Mr Charlie Robertson and Reverend Anne Robertson, who both spoke against the application and objected to the proposed application, asking that it be refused.

The Committee then heard from Mr Jamie Scott (agent for the applicant) and Ms Milly Bowen (applicant), who both spoke in support of the application and answered questions from Members.

The Convener, seconded by the Vice Convener, moved:-

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

Councillor Alphonse, moved as an amendment:-

That the application be refused.

Councillor Alphonse's amendment failed to attract a seconder and was therefore not put to the vote.

The Committee resolved:-

to approve the application conditionally.

SECOND FLOOR RIGHT, 6 HOWBURN PLACE ABERDEEN - 240743

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

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That the application for Detailed Planning Permission for the change of use of flat to short term let accommodation with maximum occupancy of 2 people, at Second Floor Right, 6 Howburn Place Aberdeen, be approved subject to the following conditions:-

(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.

(02) TIME LIMIT FOR SHORT-TERM LET USE

The hereby approved use of the property shall expire 5 years following the date of the grant of permission as stated on this notice, unless a further planning permission has been granted for continued use as short term let accommodation in the meantime. Should no further planning permission be granted then the property shall revert to mainstream residential use as a flat after the aforementioned 5-year period.

Reason: In order to allow the local housing need and demand situation and the local economic benefits derived from the use of the property as short term let accommodation to be reassessed in 5 years' time, to ensure that the loss of the property as residential accommodation would remain compliant with Policy 30 of NPF4.

The Committee heard from Mr Roy Brown, Planner, who spoke in furtherance of the application and answered various questions from Members.

The Committee then heard from Mr Richard Dingwall, agent for the application, who spoke in support of the application and answered questions from Members.

The Committee resolved:-

to approve the application conditionally.

- **Councillor Ciaran McRae, Convener**