The Town And Country Planning (Scotland) Act 1997

Conditional Planning Permission

Fitzgerald & Associates Ltd
53 Albert Street
Aberdeen
AB25 1XT

on behalf of **C & L Properties (Crathie) Ltd**

With reference to your application validly received on 3 September 2010 for Planning Permission under the above mentioned Act for the following development, viz:-

**Erection of 97 No. room student accommodation block including wardens flat and car parking at 515/519 Holburn Street, Aberdeen**

the Council in exercise of their powers under the above mentioned Act hereby GRANT Planning Permission for the said development in accordance with the particulars given in the application form and the plan(s) and documents docketed as relative thereto.

Permission is granted subject to the following condition(s), for which reasons(s) are stated viz:-

(1) that no development shall take place unless samples of all external finishing materials to the roof and walls of the development hereby approved 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 - in the interests of visual amenity.

(2) that the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing No. 100 rev C of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the

GORDON McINTOSH
DIRECTOR
Continuation

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 - in the interests of public safety and the free flow of traffic.

(3) that the development hereby granted planning permission shall not be occupied unless all drainage works detailed on Plan No 85322/2200 rev A or such other plan as may subsequently be approved in writing by the planning authority for the purpose have been installed in complete accordance with the said plan - in order to safeguard water qualities in adjacent watercourses and to ensure that the proposed development can be adequately drained.

(4) that no development pursuant to this planning permission shall take place nor shall the building be occupied unless there has been submitted to and approved in writing for the purpose by the Planning Authority an assessment of the noise levels likely within the flats, plant/laundry room, motorbike and cycle storage unless the planning authority has given prior written approval for a variation. The assessment shall be prepared by a suitably qualified independent noise consultant and shall recommend any measures necessary to ensure a satisfactory noise attenuation for the building. The property shall not be occupied unless the said measures have been implemented in full - in the interests of residential amenity.

(5) that no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of landscaping for the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting - in the interests of the amenity of the area.

(6) that all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved.

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DIRECTOR
Continuation

in writing for the purpose by the planning authority - in the interests of the amenity of the area.

(7) The landscaping membrane should be used to prevent migration of any residual contamination at depth and a clean cover of no less than 600mm topsoil/sand and topsoil should be imported to cover the membrane. All imported clean cover should be tested at a rate of one sample per 100m³ in order to demonstrate that the material is suitable for use. A validation report will be required for all imported material should be submitted for the further written approval of the planning authority, prior to any buildings being occupied - in the interests of the health and safety of any future occupants.

(8) That the development hereby granted planning permission shall not be occupied unless provision has been made within the application site for refuse storage and disposal as shown on drawing no’s 107 rev B and 100 rev C - in order to preserve the amenity of the neighbourhood and in the interests of public health.

(9) That none of the units hereby granted planning permission shall be occupied unless the cycle storage facilities as shown on drawing no. 107 rev B and 100 rev C have been provided - in the interests of encouraging more sustainable modes of travel.

(10) That no development shall take place unless a scheme for external lighting has been submitted to and approved in writing by the Planning Authority, and thereafter implemented in full accordance with said scheme - in the interest of public safety.

(11) that, except as the Planning Authority may otherwise agree in writing, no construction or demolition work shall take place:
(a) outwith the hours of 7.00 am to 7.00 pm Mondays to Fridays;
(b) outwith the hours of 9.00 am to 4.00 pm Saturdays; or
(c) at any time on Sundays,
except (on all days) for works inaudible outwith the application site boundary. [For the avoidance of doubt, this would generally allow internal finishing work, but not the use of machinery] - in the interests of residential amenity.

(12) that no development pursuant to this planning permission shall take place, nor shall any part of the development hereby approved be occupied, unless there has been submitted to and approved in writing by the Planning Authority, a detailed scheme of site boundary enclosures for the entire development hereby granted planning permission. The building hereby granted planning permission

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Continuation

shall not be occupied unless the said scheme has been implemented in its entirety - in order to preserve the amenity of the neighbourhood.

(13) that the development hereby permitted shall not be brought into use until the zero/low carbon equipment has been installed in full accordance with the details contained within SBEM Main Calculation Document (dated Wed Dec 22 14;10:07 2010) - to ensure this development complies with the on-site carbon emissions target outlined in Scottish Planning Policy (SPP) and specified in the City Council's adopted Supplementary Planning Guidance, 'Reducing Carbon Emissions In New Development'.

The reason(s) on which the Council has based this decision are as follows:-
The proposal, although not fully conforming to Adopted Local Plan policies 1 and 6, the application has merit in that it would bring the site back into use after lying vacant for around 10 years. The modern design would help to improve the visual appearance and street scene of the immedaite residential area. Further, its close proximity to local amenities and bus route would help to encourage sustainable transport and reduce car dependancy.

The plans, drawings and documents that are the subject of this decision notice are numbered as follows:- 100 rev C, 101 rev C, 102 rev C, 103 rev C, 104 rev C, 106 rev C, 107 rev B, 110 rev C, 85322/2200 revision A

Date of Signing 29 March 2011

[Signature]

Dr Margaret Bochel
Head of Planning and Sustainable Development

Enc.

NB. EXTREMELY IMPORTANT INFORMATION RELATED TO THIS GRANT OF PLANNING APPROVAL

The development to which this notice relates requires to be commenced within 3 years of the date of this notice unless a condition of planning approval specifies otherwise.

This permission does not carry with it any necessary approval under the Building Standards Regulations or of the owner or superior of the land or property including,
Continuation

where applicable, the City Council. Please ensure that is permission is compatible with any building warrant obtained. The Planning Service does not cross check approvals in detail.

The applicant has the right to appeal to the Scottish Ministers in certain circumstances (eg. if aggrieved by the conditions that have been attached) and further details are given in Form 1 attached below

A person who has been granted planning permission under the terms of the foregoing notice and intends to start work to implement this planning approval must, once they have decided the date they will start work on the development, inform the Council in writing of that date as soon as is practicable, but in all circumstances prior to work commencing. Failure to do so is a breach of planning control under Section 123(1) of the 1997 Planning Act. The Council should be informed of the start date and other required information on the Notice of Initiation of Development Form attached below

A person who completes the development for which planning permission has been granted by the foregoing notice must, as soon as is practicable after doing so, give notice of completion to the Council on the Notice of Completion of Development form attached below. In common with the failure to submit an notice of initiation of development, the Council may take enforcement action if a notice of completion is not given.
Continuation

SCHEDULE 6

Regulation 28

Notice to accompany refusal etc.

Form 1

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Notification to be sent to applicant on refusal of planning permission or on the grant of permissions subject to conditions

If the applicant is aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may appeal to the Scottish Ministers under section 47 of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The appeal should be made on a form available from the Directorate for Planning & Environmental Appeals, 4 The Courtyard, Callendar Business Park, Callendar Road, Falkirk FK1 1XR. (www.scotland.gov.uk/topics/built-environment/planning/decisions-appeals/appeals/appeal-forms)

If permission to develop land is refused or granted subject to conditions, whether by the planning authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land’s interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

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DIRECTOR
NOTICE OF INITIATION OF DEVELOPMENT

The Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006

The Planning (Development Management Procedure)(Scotland) Regulations 2008

Notice under Sections 27 A,B and C of the above Act and Regulations 37 and 38, regarding the initiation (start) of work for which planning permission has been granted.

Planning Permission reference number:- P101426 Date of Issue :- 29 March 2011

Address of site to which permission applies :-

| 515/519 Holburn Street, Aberdeen |

I hereby give notice that it is intended to **start** the above development on the following date:-

(see notes 1 – 3 below)

| --|--|-- |

<table>
<thead>
<tr>
<th>(see note 4 below)</th>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Person Intending to Carry Out Development</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Landowner of Site (If different)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Site Agent appointed for development</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Mobile or landline tel. number

Date of Submission of Notice 29/03/2011

GORDON McIntosh
DIRECTOR
Address to which you should send this notice :-

Planning & Sustainable Development
Enterprise, Planning and Infrastructure
Aberdeen City Council
8th floor
St Nicholas House
Broad Street
Aberdeen AB10 1GY

Should you require any help in completing this notice, please contact us :-

Telephone: 01224 523470
Fax: 01224 636181
E-mail: pi@aberdeencity.gov.uk
Web-site: www.aberdeencity.gov.uk

Notes

1. Notice of start of work must be given prior to commencement of the development (i.e. before starting work on site).

2. Failure to submit this notice to the planning authority is a breach of planning control under section 123 (1) of the 1997 Act.

3. Work may lawfully be commenced at some point after the start date given above, provided that it is undertaken in complete accordance with the planning permission and any related planning conditions which have been imposed.

4. Data Protection Act 1998 - For the purposes of processing this information Aberdeen City Council is the Data Controller. The information on this form will be recorded on computer and also stored and processed automatically for planning purposes. Information will be disclosed only in accordance with the requirements of the Town and Country Planning (Scotland) Act 1997, as amended, or otherwise as required by law, including disclosure to other agencies.
NOTICE OF COMPLETION OF DEVELOPMENT

The Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006

The Planning (Development Management Procedure)(Scotland) Regulations 2008

Notice under Sections 27B of the above Act, regarding the completion of work for which planning permission has been granted.

<table>
<thead>
<tr>
<th>Planning Permission reference number:-</th>
<th>Date of Issue :-</th>
</tr>
</thead>
<tbody>
<tr>
<td>P101426</td>
<td>29 March 2011</td>
</tr>
</tbody>
</table>

Address of site to which permission applies :-

515/519 Holburn Street, Aberdeen

I hereby give notice that the above development was completed on the following date:- (see notes 1 and 2 below)

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<table>
<thead>
<tr>
<th>(see note 3 below)</th>
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Date of Submission of Notice --/--/--

GORDON McINTOSH
DIRECTOR
Continuation

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Enterprise, Planning and Infrastructure
Aberdeen City Council
8th floor
St Nicholas House
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Web-site: www.aberdeencity.gov.uk

Notes

1. Notice of completion of development on site must be given as soon as practicable thereafter.

2. The planning authority may take enforcement action if such a notice is not given. When the last phase of a phased development is completed, the requirement to give notice of completion of development applies.

3. Data Protection Act 1998 - For the purposes of processing this information Aberdeen City Council is the Data Controller. The information on this form will be recorded on computer and also stored and processed automatically for planning purposes. Information will be disclosed only in accordance with the requirements of the Town and Country Planning (Scotland) Act 1997, as amended, or otherwise as required by law, including disclosure to other agencies.