

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 21 August 2025. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor McRae, Convener; Councillor Greig, Vice Convener; and Councillors Alphonse, Boulton, Clark, Copland, Farquhar, Lawrence and Macdonald.

The agenda and reports associated with this minute can be located [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 Alphonse noted as a transparency statement that in relation to item 6.1 on the agenda, 33 Holburn Street Aberdeen, that she worked with the agent over 20 years ago, however did not consider that the connection amounted to an interest which required a declaration to be made or would require her to leave the meeting for that item.

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2. The Committee had before it the minute of the previous meeting of 19 June 2025, for approval.

The Committee resolved:-

- (i) to note that under the committee planner resolutions of the minute, number 25 appeared twice and to correct the error;
- (ii) to note that in relation to item 11 of the minute (Planning Enforcement Annual Report), that the Convener would send an update to Members after the meeting in relation to the application site at Esplanade Filling Station, North Esplanade West; and
- (iii) to otherwise approve the minute as a correct record.

COMMITTEE PLANNER

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

The Committee resolved:-

- (i) to note that in relation to item 19 on the planner (Planning Guidance), that a Service Update would be issued before the September Committee;
- (ii) in relation to item 22 (Draft Aberdeen Planning Guidance – Wind Turbine), to note that with the introduction of National Planning Framework 4, this would now be a Draft Aberdeen Planning Guidance on Energy. An update would be added to the

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- planner once Scottish Government planning guidance on energy developments have been published, and officers would identify if there was a requirement for local guidance to be produced at this time; and
- (iii) to otherwise note the committee business planner.

PLANNING APPEAL DIGEST - FOR NOTING

4. The Committee had before it a report by the Chief Officer – Strategic Place Planning, which provided an update in relation to various planning appeals.

The report informed Members about planning appeals and notifications in relation to Aberdeen City Council decisions that the Scottish Government's Division for Planning and Environmental Appeals (DPEA) had received or decided since the last Planning Development Management Committee meeting and also listed appeals that were still pending.

The Committee resolved:-

to note the information contained in the planning appeal digest.

33 HOLBURN STREET ABERDEEN - 250214

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 change of use to Class 3 (food and drink) with hot food take away (sui generis), including installation of extract duct, replacement fire escape door, new doors, access ramp, handrails and associated works, at 33 Holburn Street 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.

(02) ODOUR MITIGATION

The hereby approved use shall not operate unless the critical odour mitigation measures achieving at least an equivalent effect of the measures listed in the approved Odour Impact Assessment (CCDP – November 2024 – Revision C) have been implemented in

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full, and suitable evidence of their installation has been provided to the planning authority. The mitigation measures shall include (but are not limited to) the installation of the local extract ventilation system detailed in the Proposed Kitchen Ventilation plan (drawing no. 4978-M(50)01), incorporating the following:

1. Grease baffle filters within extract canopy (providing initial grease removal/fire protection);
2. An ESP 3000 electrostatic precipitator;
3. A carbon filtration unit capable of achieving a 0.8 second carbon filter residence time.

Reason: In order to protect the amenity of neighbouring residential properties from cooking odour emissions.

(03) NOISE MITIGATION

The hereby approved use shall not operate unless the noise mitigation measures listed in the approved Noise Impact Assessment (Couper Acoustics, 22nd June 2025 [Ref: 0989212314 – V1]) have been implemented in full and suitable evidence of their installation has been provided to the planning authority. The mitigation measures shall include (but are not limited to):

Local Extract Ventilation (LEV) Noise:

1. The Local Extract Ventilation (LEV) outlet is located as shown in Figure 2 of the report.
2. The LEV shall have an extract fan with equivalent (or lower) noise emissions than the Soler & Palau ILHB-450 CC ECOWATT Fan (as detailed in Appendix A).
3. The LEV shall be fitted with a silencer that provides (as a minimum) the dynamic insertion loss values shown in Table 2 of the report.
4. The LEV design (Drawing No. 4978-M(50)01 C) should be updated to include an additional silencer or acoustic louvre that provides (as a minimum) the dynamic insertion loss values shown in Table 3 of the report.

Internal Noise Transmission:

5. Inspection and repair (if necessary) of the existing ceiling in accordance with Section 5.06 - 5.07 of the report.
6. Installation of a new independent ceiling in accordance with Section 5.10 - 5.11 and Appendix B.
7. Wall cupboards, voids or hidden fireplaces should be blocked up in accordance with Section 5.13 of the report.
8. Implementation of the additional mitigation measures detailed in Table 6 of the report.

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Reason: To protect the amenity of neighbouring residential properties from noise emissions.

(04) OPENING HOURS

The hereby approved use shall only operate between the hours of 07:00 and 22:00 on any given day.

Reason: To protect the amenity of neighbouring residential properties from noise emissions in the late evening and early morning periods.

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

The Committee then heard from Gary Duff, who objected to the proposed application and asked that it be refused.

Finally the Committee heard from Martin Calder, agent for the application who spoke in support of the application and asked that it be approved.

The Convener moved, seconded by Councillor Boulton:-

That the Committee refuse the application for the following reasons:-

The proposed development would contribute to the overprovision of hot food takeaways in the surrounding area, to the detriment of the amenity of residents in the area, together with road safety concerns in relation to deliveries and collections, and adverse impacts on residential amenity in terms of noise and odour. The proposal is therefore contrary to Policies 23 (Health and Safety) and 27 (City, Town Local and Commercial Centres) of National Planning Framework 4, Policies H2 (Mixed Use Areas) and WB3 (Noise) of the Aberdeen Local Development Plan 2023 , and the Aberdeen Planning Guidance: Harmony of Uses.

Council Copland, seconded by the Vice Convener, moved as an amendment:-

That the application be approved conditionally in line with the officers recommendation.

On a division, there voted – for the motion (7) – the Convener, and Councillors Alphonse, Boulton, Clark, Farquhar, Lawrence and Macdonald – for the amendment (2) – the Vice Convener and Councillor Copland.

The Committee resolved:-

to refuse the application.

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6. With reference to article 7 of the minute of the meeting of 20 June 2024, the Committee had before it a report by the Chief Officer – Strategic Place Planning, which sought approval to adopt the Aberdeen Planning Guidance (APG): Health Impact Assessments.

The report recommended:-

that the Committee –

- (a) approve the Aberdeen Planning Guidance: Health Impact Assessment (Appendix 1) as non-statutory planning advice;
- (b) note the findings of the consultation on the Draft Health Impact Assessment Guidance Document, and subsequent responses and revisions proposed by Officers to the Draft document (Appendix 2);
- (c) instruct the Chief Officer - Strategic Place Planning to review Section 75 agreements during the production of the Aberdeen Local Development Plan 2028, in order to assess how a 'health in all policies' approach can be more effectively integrated with future developer obligations; and
- (d) instruct the Chief Officer - Strategic Place Planning to review the appendices of the Aberdeen Planning Guidance: Health Impact Assessment on an annual basis to ensure the data remains up to date, and to publish any updates on the Council's website.

The Committee resolved:

- (i) to request that a report be brought back to this Committee in one year, to provide details on how the guidance had been implemented; and
 - (ii) to approve the recommendations
- **COUNCILLOR CIARAN MCRAE, Convener**