

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 25 September 2025. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor McRae, Convener; Councillor Greig, Vice Convener; and Councillors Alphonse, Boulton, Clark, Copland, Macdonald and Malik (as substitute for Councillor Lawrence).

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 Malik noted as a transparency statement that in relation to item 6.1 on the agenda, 92 Crown Street Aberdeen, that should the application be approved, that he would use the mosque, however did not consider that the connection amounted to an interest which required a declaration to be made or would require him to leave the meeting for that item.

MINUTE OF MEETING OF THE PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 21 AUGUST 2025

2. The Committee had before it the minute of the previous meeting of 21 August 2025, for approval.

The Committee resolved:-

to approve the minute as a correct record.

COMMITTEE BUSINESS PLANNER

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

The Committee resolved:-

- (i) to agree to remove item 24 (Planning Guidance on drive throughs), as a Service Update was issued to Members in this regard; and
- (ii) to note the committee business planner.

PLANNING APPEAL DIGEST

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.

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

25 September 2025

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.

92 CROWN STREET ABERDEEN - 250180

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 from motorcycle garage and showroom to mosque (class 10 - non-residential institution) and class 1A (shops and financial, professional and other services) to ground floor; extensions to side, blocking up and formation of new doorways, and all associated works, at 92 Crown 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 Town and Country Planning (Scotland) Act 1997.

(02) CYCLE PARKING SPACES

That the change of use hereby approved shall not occur unless finalised details of the proposed cycle parking areas in accordance with the proposed plans have been submitted to and approved in writing by the planning authority, and evidence of their installation has been submitted to, and confirmed in writing by the planning authority.

Reason - to incentivise sustainable and active travel to the premises.

(03) HARD AND SOFT LANDSCAPING AND BIODIVERSITY ENHANCEMENTS

That the change of use hereby approved shall not occur unless all of the hard and soft landscaping measures, fixed seating and boundary treatment on the approved landscape scheme (as shown on Drawing 11B) have been implemented in their entirety, unless a variation to this scheme has been submitted to, and approved in writing by the planning

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

25 September 2025

authority. All soft landscaping proposals and biodiversity enhancements shall be carried out in accordance with the approved landscape scheme and shall be completed during the planting season immediately following the completion of the extension, 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, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

Reason - In the interests of enhancing green infrastructure, the character and appearance of the conservation area and biodiversity, as well as positively addressing the climate and nature crises.

(04) EXTERNAL MATERIALS

That no development shall take place unless specifications, samples, and finalised details, including a sample panel of the perforated metal cladding system of the walls, roof, window panels and doors of the extensions and exposed elevations, have been submitted to, and approved in writing by the planning authority. Thereafter, the development shall be implemented in accordance with the approved details.

Reason - In the interests of visual amenity and the character and appearance of the conservation area.

(05) NEW DOOR OPENING AND BLOCKING UP OF DOOR

That no development shall take place unless finalised details of the proposed door opening and the blocking up of the existing door on the north elevation of the flat roofed extension to the northwest of the application site has been submitted to, and approved in writing by, the planning authority. Thereafter, the development shall be implemented in accordance with the approved details.

Reason - In the interests of visual amenity and the character and appearance of the conservation area.

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

The Committee then heard from Altaf Panchbhaya, applicant, who spoke in support of the application. Finally, the Committee heard from Gillian Stuart, Academy Street Dance Studio, who objected to the application.

The Committee resolved:-

to approve the application conditionally.

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

25 September 2025

71 VICTORIA STREET DYCE ABERDEEN - 250485

6. 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 veterinary practice [class 1A (shops, financial professional and other services) use] to hot food takeaway (sui generis) and installation of extract flue, at 71 Victoria Street Dyce 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) BIRD MANAGEMENT

No development shall take place, nor shall the use operate, unless a Bird Hazard Management Plan has been submitted to and approved in writing by the planning authority. The submitted plan shall include details of:

- physical arrangements for the collection (including litter bins) and storage of putrescible waste, arrangements for and frequency of the removal of putrescible waste;
- signs deterring people from feeding the birds.

The Bird Hazard Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the duration of the approved use. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority.

Reason: It is necessary to manage the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Aberdeen Airport.

(03) WASTE AND RECYCLING STORAGE

The use hereby approved shall not take place unless a scheme of segregated waste storage for the site, including food waste storage, has been submitted to and approved in writing by the Planning Authority. This shall include screening of the proposed refuse

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

25 September 2025

and recycling bin store, as specified on drawing no. PL01 G hereby approved and provision of gully and wash down facilities within the site. The approved use shall not take place unless the approved bin store has been provided and thereafter is retained and is available for use for the duration of the use of the premises as a hot food takeaway.

Reason – In order to ensure waste storage on site, preserve the amenity of the area and ensure that the bins do not obstruct the adjacent public road / footway.

(04) ODOUR MITIGATION

The use hereby approved shall not take place unless the odour mitigation measures specified in the approved Odour Impact Assessment (TKM Ventilation Services, 23rd July 2025) including the external flue shown on drawing ref. PL01 G, or such other assessment and drawing as may be approved in writing by the planning authority, have been implemented in full. Implementation of the following specific measures is required:

- Wall mounted extract canopy located directly above cooking appliances
- Canopy to include baffle type grease filters (washable)
- Extract ductwork routed to the external termination point incorporating sufficient access panels to permit cleaning/filter changeout
- 3-stage filtration comprising first stage G2 mesh filter (grease), second stage M5 disposable bag filter and third stage activated carbon filter for removal of grease and odour. Carbon filter to have minimum dwell time of 0.2 seconds. Suitable access will be required to the filters
- Exhaust to atmosphere via high velocity jet cowl discharging above eaves
- Fresh-air make-up via ducted system with filter/fan
- Both supply and extract fans operated via speed controllers
- Safety gas interlock required to isolate gas supply in event of ventilation fan failure

The approved use shall not take place unless evidence of implementation of the requisite physical measures to be installed on site has been submitted to and agreed in writing by the planning authority. Thereafter, the odour mitigation measures shall be retained for duration of the use of the premises as a hot food takeaway.

Reason – In order to preserve the amenity of adjacent residential premises by reason of the generation of odours.

(05) NOISE IMPACT / MITIGATION

The use hereby approved shall not take place unless the noise mitigation measures specified in the approved Noise Impact Assessment (FEC Acoustics, 23rd July 2025), or such other assessment as may be approved in writing by the planning authority, have been implemented in full. Implementation of the following specific measures is required:

- The intake/extract points are located as shown on the Proposed Plans and Elevations (Drawing No: PL01 G).

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

25 September 2025

- The Local Extract Ventilation system (LEV) has an intake fan with equivalent (or lower) noise emissions than the Vent Axia Quiet Pack Fan (as detailed in Appendix 8.1.1).
- The LEV has an extract fan with equivalent (or lower) noise emissions than the Soler & Palau CVAB/4-6000/450N D Fan (as detailed in Appendix 8.1.2).
- A silencer is fitted upstream of the intake ventilation fan that provides (as a minimum) dynamic insertion loss values equivalent to the Vent Axia 'Sonex' Silencer (400 mm diameter, 900 mm length) detailed in Appendix 8.1.3.
- A silencer is fitted downstream of the exhaust fan that provides (as a minimum) dynamic insertion loss values equivalent to the Vent Axia 'Sonex' Silencer (400 mm diameter, 900 mm length) detailed in Appendix 8.1.3.
- The LEV installer ensures all necessary measures are taken to reduce the effects of vibration on the internal and external building structure using various anti-vibration methods (e.g. pads/mats/mounts and flexible hose connections).

The approved use shall not take place unless evidence of implementation of the requisite physical measures to be installed on site has been submitted to and agreed in writing by the planning authority. Thereafter, the said measures shall be retained for the duration of the use of the premises as a hot food takeaway.

Reason – In order to preserve the amenity of adjacent residential premises by reason of the generation of plant noise.

(06) CYCLE PARKING / STORAGE

The use hereby approved shall not take place unless the proposed cycle parking, as specified on drawing no. PL01 G hereby approved has been implemented in full and thereafter is retained and is available for use for the duration of the premises as a hot food takeaway.

Reason – In order to ensure provision of adequate customer and staff cycle parking on site and reduce the risk of obstruction of the adjacent public road / footway.

(07) HOURS OF OPERATION

The use hereby approved shall not operate outwith the hours from 7.00am to 8.30pm on any day.

Reason - In order to protect the amenity of adjacent residential uses due to potential late night noise generation / disturbance associated with use of the premises

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

The Committee then heard from Martin Gillespie, who objected to the application.

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

25 September 2025

The Convener moved, seconded by the Vice Convener:-

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

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

That the application be refused for the following reasons.

1. The proposed use would undermine the amenity of the area and health and wellbeing of the community by reason of the proximity of residential uses to the site and the generation of increased activity (e.g. delivery traffic and noise outwith normal shopping hours), to the detriment of existing residential amenity and thus conflicts with Policy 27 (City, town, local and commercial Centres) part C within National Planning Framework 4 and Aberdeen Planning Guidance (APG) regarding Harmony of Uses; and
2. The proposed use would result in an increase in vehicle trips to the site, and reduced vehicle dwell time relative to the authorised use. The increased reversing of vehicles across the footway on Victoria Street would result in unacceptable exacerbation of an existing public safety risk.

On a division, there voted – for the motion (5) – the Convener, the Vice Convener and Councillors Copland, Malik and Macdonald – for the amendment (3) – Councillors Alphonse, Boulton and Clark.

The Committee resolved:-

to adopt the motion and approve the application conditionally.

27 RUBISLAW DEN NORTH ABERDEEN - DETAILED PLANNING PERMISSION - 241426

7. This application was deferred for consideration until a site visit could place on Thursday 9 October 2025.

27 RUBISLAW DEN NORTH ABERDEEN - LISTED BUILDING CONSENT - 241427

8. This application was deferred for consideration until a site visit could place on Thursday 9 October 2025.

- **COUNCILLOR CIARAN MCRAE, Convener**