

## DEVELOPMENT MANAGEMENT SUB COMMITTEE

ABERDEEN, 27 September 2012. Minute of Meeting of the DEVELOPMENT MANAGEMENT SUB COMMITTEE. Present:- Councillor Milne, Convener; and Councillors Boulton, Cameron (substituting for Councillor MacGregor), Corall, Cormie, Delaney, Finlayson, Jaffrey, Lawrence, McCaig, Jean Morrison MBE and Thomson.

**The agenda and reports associated with this minute can be found at:-**

<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=348&MId=2552&Ver=4>

### MINUTE OF MEETING OF DEVELOPMENT MANAGEMENT SUB COMMITTEE OF 23 AUGUST 2012

1. The Sub Committee had before it the minute of its previous meeting of 23 August 2012.

**The Sub Committee resolved:-**

to approve the minute.

### MINUTE OF MEETING OF DEVELOPMENT MANAGEMENT SUB COMMITTEE (VISITS) OF 30 AUGUST 2012

2. The Sub Committee had before it the minute of meeting of the Development Management Sub Committee (Visits) of 30 August 2012.

**The Sub Committee resolved:-**

to approve the minute.

### FORMER BUCKSBURN FILLING STATION, A96(T) BETWEEN CHAPEL OF STONEYWOOD AND FAIRLEY ROAD - 120374

3. The Convener advised that the abovementioned report had been withdrawn from the agenda.

**The Sub Committee resolved:-**

to note the position.

### ABERDEEN SNOW SPORTS CENTRE, GARTHDEE ROAD - 120967

4. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Sub Committee approve the application in respect of planning permission for the construction of a new ski slope and ski tow lift to the northern edge of the ski complex, subject to the following conditions:-

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- (1) That except as the planning authority may otherwise agree in writing, no construction or demolition work shall take place (a) outwith the hours of 7.00am to 7.00pm Mondays to Fridays; (b) outwith the hours of 9.00am to 4.00pm 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]; and
- (2) That the ski tow lift at the top of the ski run (Station 3) hereby approved shall be sited no higher than at existing ground level at Pitmedden Crescent.

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

- (i) to approve the recommendation; and
- (ii) to instruct the Head of Planning and Sustainable Development to write to the applicant/agent expressing the Sub Committee's concern that the work had already commenced prior to the application being considered.

### **DECLARATION OF INTEREST**

**Councillor Cameron declared an interest in the following item of business by virtue of his appointment by the Council as a Director of Aberdeen Sports Village. Councillor Cameron considered that the nature of his interest required him to leave the meeting and took no part in the deliberations thereon.**

### **ABERDEEN SPORTS VILLAGE, LINKSFIELD ROAD - 121045**

5. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Sub Committee approve the application in respect of planning permission for the erection of an extension containing three multi-purpose studios and associated changing rooms at the north side of the existing football hall, with additional parking spaces to be provided in the existing car park to the west side of the existing football hall, subject to the following conditions:-

- (1) That the development hereby granted planning permission shall not be occupied unless a scheme detailing cycle storage provision has been submitted to, and approved in writing by the planning authority, and thereafter implemented in full accordance with said scheme; (2) That no development shall take place unless there has been submitted to and approved in writing a detailed Green Transport Plan for the wider site 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; (3) That no development shall take place unless a scheme of all drainage works designed to meet the requirements of Sustainable Urban Drainage Systems (SUDS) has been submitted to and approved in writing by the planning authority and thereafter no part of the development shall be occupied unless the drainage has been installed in complete accordance with the said scheme; (4) That no development pursuant to the planning permission

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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; and (5) 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 in writing for the purpose by the planning authority.

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

to approve the recommendations on the provision that the Green Transport Plan include detail on the frequency of public transport at both peak and off peak times.

### **158 GALLOWGATE - 120890**

**6.** The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Sub Committee approve the application in respect of planning permission for a change of use from Class 1 (Shops) to a hot food takeaway establishment, subject to the following conditions:-

(1) That the use hereby granted planning permission shall not take place unless a detailed scheme showing the proposed means of filtering, extracting and dispersing cooking fumes from the premises has been submitted to and approved in writing by the planning authority and that the said scheme has been implemented in full and is ready for operation; (2) That the use hereby granted planning permission shall not take place unless provision has been made within the application site for refuse storage and disposal in accordance with a scheme which has been submitted to and approved in writing by the planning authority; and (3) That the premises shall not be open for business outwith the hours of 7.00am and 10.00pm Sunday to Thursday and 7.00am and 11.00pm Friday and Saturday.

The Convener moved, seconded by Councillor Jean Morrison MBE:-

That the recommendation contained within the report be approved subject to the addition of the following conditions:-

(4) That the use hereby granted planning permission shall not take place unless a scheme showing the provision of litter bins outside the application premises has been submitted to and approved by the planning authority. Thereafter the premises shall not be occupied unless the agreed provision of bins has been implemented; and (5) That the use hereby granted planning permission shall not

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take place unless a scheme for the collection of dropped litter arising from the premises has been submitted to and approved by the planning authority. Thereafter the occupier will arrange for the collection of litter to take place in accordance with the agreed scheme.

Councillor Delaney moved as an amendment, seconded by Councillor Jaffrey:-

That the application be refused on the grounds that the proposed change of use would give rise to excess litter and noise and would result in a loss of residential amenity.

On a division, there voted:- for the motion (10) - the Convener; and Councillors Boulton, Cameron, Corall, Cormie, Finlayson, Lawrence, McCaig, Jean Morrison MBE and Thomson; for the amendment (2) - Councillors Delaney and Jaffrey.

**The Sub Committee resolved:-**

to adopt the motion.

### **HOLBURN WEST CHURCH HALL, 9 ASHLEY PARK DRIVE - 121051**

7. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Sub Committee approve the application in respect of planning permission for the installation of a telecommunications cabinet, subject to the following condition:-

(1) That in the event that any part of this equipment becomes obsolete or redundant, it must be removed within six months of such event. In the event that all of this equipment is removed, the site shall be made good, in accordance with a scheme to be submitted and approved in writing by the planning authority, within one month of such removal.

**The Sub Committee resolved:-**

to approve the recommendation.

### **ADJACENT TO 40 POLMUIR ROAD - 121056**

8. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Sub Committee approve the application in respect of planning permission for the installation of a telecommunications cabinet, subject to the following condition:-

(1) That in the event that any part of this equipment becomes obsolete or redundant, it must be removed within six months of such event. In the event that all of this equipment is removed, the site shall be made good, in accordance with a scheme to be submitted and approved in writing by the planning authority, within one month of such removal.

**The Sub Committee resolved:-**

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to approve the recommendation.

### **ADJACENT TO 4 SALISBURY TERRACE - 121059**

9. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Sub Committee approve the application in respect of planning permission for the installation of a telecommunications cabinet, subject to the following condition:-

- (1) That in the event that any part of this equipment becomes obsolete or redundant, it must be removed within six months of such event. In the event that all of this equipment is removed, the site shall be made good, in accordance with a scheme to be submitted and approved in writing by the planning authority, within one month of such removal.

**The Sub Committee resolved:-**

to approve the recommendation.

### **BON ACCORD STREET, ADJACENT TO 30 FONTHILL ROAD - 121060**

10. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Sub Committee approve the application in respect of planning permission for the installation of a telecommunications cabinet, subject to the following condition:-

- (1) That in the event that any part of this equipment becomes obsolete or redundant, it must be removed within six months of such event. In the event that all of this equipment is removed, the site shall be made good, in accordance with a scheme to be submitted and approved in writing by the planning authority, within one month of such removal.

**The Sub Committee resolved:-**

to approve the recommendation.

### **16 RUBISLAW DEN SOUTH - 120074**

11. With reference to Article 6 of the minute of its meeting of 23 August 2012, the Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Sub Committee approve unconditionally the application in respect of planning permission for the erection of a single and two storey extension to the rear elevation of the property.

Councillor McCaig moved, seconded by Councillor Cameron:-

That the recommendation contained within the report be approved.

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Councillor Finlayson moved as an amendment, seconded by Councillor Thomson:-

That the application be refused on the grounds that the proposed extension, by reason of scale and massing, represented overdevelopment of the site.

On a division, there voted:- for the motion (4) - Councillors Cameron, Corall, Cormie, and McCaig; for the amendment (8) - the Convener; and Councillors Boulton, Delaney, Finlayson, Jaffrey, Lawrence, Jean Morrison MBE and Thomson.

**The Sub Committee resolved:-**  
to adopt the amendment.

### **JUSTICE MILL LANE, ADJACENT TO 25 BON ACCORD TERRACE - 121053**

12. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Sub Committee approve the application in respect of planning permission for the installation of a telecommunications cabinet, subject to the following condition:-

(1) That in the event that any part of this equipment becomes obsolete or redundant, it must be removed within six months of such event. In the event that all of this equipment is removed, the site shall be made good, in accordance with a scheme to be submitted and approved in writing by the planning authority, within one month of such removal.

**The Sub Committee resolved:-**  
to approve the recommendation.

### **ADJACENT TO 593 KING STREET - 121000**

13. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Sub Committee approve the application in respect of planning permission for the installation of a telecommunications cabinet, subject to the following condition:-

(1) That in the event that any part of this equipment becomes obsolete or redundant, it must be removed within six months of such event. In the event that all of this equipment is removed, the site shall be made good, in accordance with a scheme to be submitted and approved in writing by the planning authority, within one month of such removal.

**The Sub Committee resolved:-**  
to approve the recommendation.

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### 26 NETHERHILLS AVENUE - 121037

14. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Sub Committee approve the application in respect of planning permission for a change of use to residential flats and the erection of a two storey extension at the rear of the property, subject to the following conditions:-

(1) 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. 061[GA]002 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; (2) 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 and plot boundary enclosures for the development hereby granted planning permission. None of the flats hereby granted planning permission shall be occupied unless the said scheme has been implemented in its entirety; (3) That no development shall take place unless samples and a scheme detailing 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; (4) That, except as the planning authority may otherwise agree in writing, no construction or demolition work shall take place (a) outwith the hours of 7.00am to 7.00pm Mondays to Fridays; (b) outwith the hours of 9.00am to 4.00pm 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]; and (5) That the use hereby granted planning permission shall not take place unless provision has been made within the application site for refuse storage and disposal in accordance with a scheme which has been submitted to and approved in writing by the planning authority.

**The Sub Committee resolved:-**

to approve the recommendation.

### 1-5 SALISBURY TERRACE - 111831

15. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Sub Committee approve the application in respect of planning permission for a change of use for the site from the existing use of garages to residential units, and the

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erection of a proposed flatted development comprising six flats over four storeys, subject to the following conditions:-

(1) That no development shall take place unless a scheme detailing 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; (2) That no development shall take place unless a scheme of all drainage works designed to meet the requirements of SUDS has been submitted to and approved in writing by the planning authority and thereafter no part of the development shall be occupied unless the drainage has been installed in complete accordance with the said scheme; (3) That no development shall take place unless details showing the bathroom and ensuite windows, in the east facing elevation of the building hereby approved, to be fitted with obscure glass, have been submitted to and approved in writing by the planning authority and thereafter no part of the development shall be occupied unless the windows have been installed in complete accordance with the said scheme; (4) That, except as the planning authority may otherwise agree in writing, in order to protect the residents of the surrounding domestic properties from any potential noise nuisance arising from the proposed demolition and building works, construction works should not occur (a) outwith the hours of 7.00am to 7.00pm Mondays to Fridays; (b) outwith the hours of 9.00am to 4.00pm 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]; (5) That none of the units hereby granted planning permission shall be occupied unless the cycle storage facilities as shown on drawing no. 1010 rev A have been provided; (6) That the building hereby approved shall not be brought into use unless details of the zero and low carbon equipment to be incorporated into the development and predicted carbon emissions, using SAP or SBEM calculations, have been approved in writing by the planning authority and unless the equipment has been installed in accordance with those approved details; (7) That the use hereby granted planning permission shall not take place unless provision has been made within the application site for refuse storage and disposal in accordance with a scheme which has been submitted to and approved in writing by the planning authority; and (8) 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. 1010 rev A 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.

The Convener moved, seconded by Councillor McCaig:-

That the recommendation contained within the report be approved.

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

That the application be refused on the grounds that the proposed development, by reason of scale and massing, represented overdevelopment of the site, and



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due to the lack of parking provision and the adverse affect this would have on the residential amenity.

On a division, there voted:- for the motion (9) - the Convener; and Councillors Cameron, Corall, Cormie, Delaney, Jaffrey, Lawrence, McCaig and Jean Morrison MBE; for the amendment (3) - Councillors Boulton, Finlayson and Thomson.

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

to adopt the motion.

### **68 SPRINGFIELD AVENUE - 120661**

**16.** The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Sub Committee approve the application in respect of planning permission for the sub-division of the residential curtilage and the construction of a three bedroom detached house, subject to the following conditions:-

(1) That, except as the planning authority may otherwise agree in writing, no construction or demolition work shall take place (a) outwith the hours of 7.00am to 7.00pm Mondays to Fridays; (b) outwith the hours of 9.00am to 4.00pm 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]; (2) That no development shall take place unless a sample of the granite to be used on the walls and details of the colour of the window frames for the development hereby approved have 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; (3) That no development shall take place unless a scheme of all drainage works designed to meet the requirements of SUDS has been submitted to and approved in writing by the planning authority and thereafter no part of the development shall be occupied unless the drainage has been installed in complete accordance with the said scheme; (4) That the building(s) hereby approved shall not be brought into use unless details of the zero and low carbon equipment to be incorporated into the development and predicted carbon emissions, using SAP or SBEM calculations, have been approved in writing by the planning authority and unless the equipment has been installed in accordance with those approved details; and (5) That notwithstanding the provisions of Article 3 and Schedule 1, Parts 1, 2 and 3 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended by various orders including the Town and Country Planning (General Permitted Development)(Scotland) Amendment Order 2011) no extensions, alterations or improvements which materially affect the external appearance of the dwellinghouse, nor any means of enclosure shall be erected or carried out either on, or in the curtilage, of the dwellinghouse hereby approved without a further grant of planning permission from the planning authority.

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

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to defer consideration of the application meantime to enable members to visit the site. The reasons for visiting the site were the perceived overdevelopment of the site and the impact of the sub-division of the residential curtilage.

### **114A HAMILTON PLACE - 121070**

17. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Sub Committee approve unconditionally the application in respect of planning permission for small amendments to an approved walkway and access stair, in order for its construction to meet current building standards.

**The Sub Committee resolved:-**

to approve the recommendation.

### **ABERDEEN GRAMMAR SCHOOL, SKENE STREET - 120970**

18. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Sub Committee approve unconditionally the application in respect of planning permission for the replacement of existing single glazed steel windows with new powder coated aluminium double glazed windows on the south elevation and to replace the remaining steel framed windows on the east and west elevations to match the previous phase.

**The Sub Committee resolved:-**

to approve the recommendation.

### **TARBOTHILL LANDFILL SITE, BRIDGE OF DON - 120970**

19. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Sub Committee **refuse** the application in respect of planning permission for the erection of a single 11kw twin bladed wind turbine (18m high mast, overall height 24.8m to blade tip) and associated development, on the following grounds:-

That the proposal would cause unacceptable interference with the Ministry of Defence radar at Buchan to the extent that the RAF would be unable to provide a full air surveillance service in the area of the proposed wind turbine and no mitigation measures or technical solutions had been identified or were proposed by the applicant. The proposal therefore conflicted with Policy R8 within the adopted Local Plan of 2012 and no overriding material considerations which would justify setting aside this policy had been identified in this case.

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**The Sub Committee resolved:-**  
to approve the recommendation.  
- **RAMSAY MILNE, Convener.**