

DEVELOPMENT MANAGEMENT SUB COMMITTEE

ABERDEEN, 8 November 2012. Minute of Meeting of the DEVELOPMENT MANAGEMENT SUB COMMITTEE. Present:- Councillor Milne, Convener; and Councillors Boulton, Corall, Cormie, Delaney, Dickson (as substitute for Councillor Jaffrey), Finlayson, Lawrence, McCaig, Jean Morrison MBE, Stuart (as substitute for Councillor MacGregor) and Thomson.

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

<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=348&MId=2553&Ver=4>

MINUTE OF MEETING OF THE DEVELOPMENT MANAGEMENT SUB COMMITTEE OF 27 SEPTEMBER 2012

1. The Sub Committee had before it the minute of its previous meeting of 27 September, 2012.

The Sub Committee resolved:-

to approve the minute.

MINUTE OF MEETING OF THE DEVELOPMENT MANAGEMENT SUB COMMITTEE (VISITS) OF 4 OCTOBER 2012

2. The Sub Committee had before it the minute of meeting of the Development Management Sub Committee (Visits) of 4 October, 2012.

The Sub Committee resolved:-

to approve the minute.

MATTER OF URGENCY

The Convener intimated that he had directed in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973, that a memo from the Roads Section be considered as a matter of urgency to enable the Sub Committee to consider all relevant information in relation to the following application.

LAND TO NORTH OF FRIARSFIELD ROAD, CULTS (PART OF OP51) - 120340

3. 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 for the proposed residential development of 81 units (including affordable housing), public open space, Sustainable

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Urban Drainage System (SUDS) and access works at the land to the north of Friarsfield Road, Cults with consent being withheld until a legal agreement is secured to deliver on-site affordable housing provision, planning gain contributions towards education facilities, sport and recreation facilities, library provision, community facilities and core paths; and financial contributions towards the delivery of the link road, subject to the following conditions:-

(1) That no development pursuant to this planning permission shall commence unless a detailed delivery statement for the entire link road has been submitted for the further written approval by the planning authority; (2) That no residential unit within the development hereby approved shall be occupied unless a phasing plan for the entire development, which shall include provision of footpath and road linkages to the adjacent sites, has been submitted for the further written approval of the planning authority and thereafter the construction is undertaken in accordance with the plan unless the Council provide written agreement to the contrary; (3) That no residential unit within the development hereby approved shall be occupied unless the proposed zebra crossing on Kirk Brae to the west of its junction with Friarsfield Road and associated footway on the north side of Friarsfield Road are constructed and operational; (4) That no development pursuant to this planning permission shall commence unless detailed plans of the proposed access arrangements connecting the application site to the public footpath to the east of the site which joins Craigton Road and Friarsfield Road, including sections showing the change in levels and the proposed materials, and thereafter the accesses to be provided in full accordance with the plans unless otherwise agreed in writing; (5) That no development shall take place unless there has been submitted to and approved in writing by the planning authority a detailed design for the proposed internal road serving the development. The road shall be designed taking into account the principles set out in "Designing Streets: A Policy Statement for Scotland"; (6) That no development shall take place unless there has been submitted to and approved in writing by the planning authority a detailed design for the section of the link road which runs through the application site. The plans shall include details of junctions, cycle/pedestrian paths, laybys and bus stops; (7) That no development pursuant to the planning permission hereby approved shall take place unless a finalised SUDS scheme has been submitted for the written approval of the planning authority, in consultation with the Scottish Environment Protection Agency (SEPA), and all work shall be carried out in accordance with the approved scheme; (8) That no development pursuant to this planning permission shall commence unless a detailed site specific construction method statement for the site has been submitted to and approved in writing by the planning authority. The method statement must address the temporary measures proposed to deal with surface water run-off during construction and prior to the operation of the final SUDS. Such statement shall be implemented in full for the duration of works on the site; (9) That prior to work commencing on site, the mitigation measures as identified in the Ecological Appraisal (dated December 2011) by Northern Ecological Services shall be taken account of and implemented in their entirety; (10) That at least 2 months prior to the

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commencement of any works, a site specific environmental management plan (EMP) must be submitted for the written approval of the planning authority (in consultation with SEPA and other agencies such as Scottish Natural Heritage as appropriate) and all work shall be carried out in accordance with the approved plans; (11) That no development pursuant to the planning permission hereby approved unless a full site waste management plan for the processing of construction and demolition waste has been submitted to and approved in writing by the planning authority. No work shall be carried out unless in accordance with the approved plan unless the planning authority has given written consent for a variation; (12) That no development pursuant to the planning permission hereby approved shall take place unless a scheme of street and footpath lighting has been submitted to, and approved in writing by the planning authority. No development shall be carried out unless in full accordance with the scheme of lighting approved in writing by the planning authority; (13) That, except as the planning authority may otherwise agree in writing, (a) no piling work shall be carried out; and (b) no construction or demolition work shall take place outwith the hours of 7.00 am to 7.00 pm Mondays to Fridays; 9.00 am to 4.00 pm Saturdays; or 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]; (14) 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 hard and soft landscaping for the site, which scheme shall include (a) the materials to be used for all hard surfaces including footpaths; (b) detailed specification of children's play equipment; and (c) 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; (15) That no development pursuant to the planning permission hereby approved shall take place unless a plan showing those trees to be removed and those to be retained and a scheme for the protection of all trees to be retained on the site during construction works has been submitted to, and approved in writing by, the planning authority and any such scheme as may have been approved has been implemented; (16) That no part of the development hereby approved shall be occupied unless a plan and report illustrating appropriate management proposals for the care and maintenance of all trees to be retained and any new areas of planting (to include timing of works and inspections) has been submitted to and approved in writing by the planning authority. The proposals shall be carried out in complete accordance with such plan and report as may be so approved; (17) That any tree work which appears to become necessary during the implementation of the development shall not be undertaken without the prior written consent of the planning authority; any damage caused to trees growing on the site shall be remedied in accordance with British Standard 3998: 1989 "Recommendation for Tree Works" before the building hereby approved is first occupied; (18) That no

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materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in the aforementioned scheme of tree protection without the written consent of the planning authority and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks; (19) That on each house plot there shall be planted two trees of species to be agreed in writing with the planning authority. These trees are to be planted at half-standard size or larger. Planting shall take place in the first planting season after completion of each house and any trees 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 similar size and species unless the planning authority gives written consent to any variation; (20) 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; (21) That no development pursuant to the planning permission hereby approved shall take place unless an air quality assessment has been submitted to and approved in writing by the planning authority to quantify the impact of increased traffic. The assessment must also include mitigation measures and thereafter these mitigation measures shall be implemented in full accordance with the approved assessment. The assessment should be in accordance with the Environmental Protection UK Development Control: Planning for Air Quality (2010) Update; (22) 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 entire development hereby granted planning permission. None of the buildings hereby granted planning permission shall be occupied unless the said scheme has been implemented in its entirety; (23) 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; (24) That none of the affordable housing flats hereby granted planning permission shall be occupied unless a scheme detailing cycle and motorcycle storage provision has been submitted to, and approved in writing by the planning authority, and thereafter implemented in full accordance with said scheme; and (25) That no development shall take place unless there has been submitted to and approved in writing a detailed Green Transport Plan, 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.

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

(1) That the recommendation contained within the report be approved; (2) that the Education, Culture and Sport Committee considers the zoning of this area as part of the schools estate strategy; (3) to instruct officers to facilitate discussion regarding the spine road with the developers to achieve early clarity and hopeful resolution on the requirements for the development of this infrastructure; and (4) to request that a report be presented to the Enterprise, Planning and Infrastructure Committee on the policy of 25% affordable housing provision and when it is appropriate for the planning authority to accept a commuted payment, and the calculation of that payment to maximise affordable housing provision in the city.

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

that the application be deferred for one cycle in order for the issues relating to the spine road and educational provision to be discussed and reported back to the next meeting of the Sub Committee.

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

The Sub Committee resolved:-

- (i) to adopt the motion; and
- (ii) to note that the following standard archaeological condition would be added to the list of conditions, “that no development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work which shall include post-excavation and publication work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority - in the interests of protecting items of historical importance as may exist within the application site”.

FORMER MILE END PRIMARY SCHOOL, MIDSTOCKET ROAD, ABERDEEN - 120568

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 the redevelopment and extension of Mile End School to form 37 residential units with associated car parking and landscaping, alteration of the vehicular access on Beechgrove Place, the demolition of the single storey toilet block extensions, outdoor shelter and the stand alone dinner hut, subject to the following conditions, and to withhold the issue of the consent document until the applicant has entered into a legal agreement with the Council to secure the affordable housing and planning gain contributions negotiated between the two parties:-

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(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. 1000F 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 shall take place unless a scheme of all drainage works designed to meet the requirements of Sustainable Urban Drainage Systems 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 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; (4) 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; (5) That no development shall take place unless a plan showing those trees to be removed and those to be retained and a scheme for the protection of all trees to be retained on the site during construction works has been submitted to, and approved in writing by, the planning authority and any such scheme as may have been approved has been implemented; (6) That no part of the development hereby approved shall be occupied unless a plan and report illustrating appropriate management proposals for the care and maintenance of all trees to be retained and any new areas of planting (to include timing of works and inspections) has been submitted to and approved in writing by the planning authority. The proposals shall be carried out in complete accordance with such plan and report as may be so approved, unless the planning authority has given prior written approval for a variation; (7) That any tree work which appears to become necessary during the implementation of the development shall not be undertaken without the prior written consent of the planning authority; any damage caused to trees growing on the site shall be remedied in accordance with British Standard 3998: 2010 "Recommendations for Tree Work" before the building hereby approved is first occupied; (8) That no materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in

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the aforementioned scheme of tree protection without the written consent of the planning authority and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks; (9) That the windows hereby approved shall be constructed in full accordance with the detailed cross sections submitted and approved with the application and that the visible part of the outer frame of the front windows hereby approved shall not exceed 25 mm in width at the top and sides of the window opening with the remainder of the frame being concealed behind the masonry window check, unless the planning authority has given prior written approval for a variation; (10) 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]; (11) That no development shall take place unless it is carried out in full accordance with a scheme to deal with contamination on the site that has been approved in writing 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 BS10175 Investigation of Potentially Contaminated Sites - Code of Practice and other best practice guidance and shall include: (a) an investigation to determine the nature and extent of contamination; (b) a site-specific risk assessment; (c) a remediation plan to address any significant risks and ensure the site is fit for the use proposed. No building(s) on the development site shall be occupied 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 specifically relating to the building(s) has been submitted and approved in writing by the planning authority that verifies that remedial works to fully address contamination issues related to the building(s) have been carried out, unless the planning authority has given written consent for a variation. The final building on the application site shall not be occupied unless a report has been submitted and approved in writing by the planning that verifies that completion of the remedial works for the entire application site, unless the planning authority has given written consent for a variation; (12) that notwithstanding the details shown on Drawing No. 1000F no development shall take place unless there has been submitted to and agreed in writing by the planning authority a further scheme for cycle storage facilities, which shall include the provision of Sheffield-type stands and lighting within the stores. Thereafter none of the residential units hereby granted planning permission shall be occupied unless the cycle storage facilities have been provided; (13) That no development shall take place unless samples of all external finishing materials to the roof and walls of 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;

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(14) That no development shall take place unless a programme for the required alterations to the existing Traffic Regulation Order on Beechgrove Place Lane deemed necessary to implement the development hereby approved has been submitted to and agreed in writing by the planning authority and thereafter the said measures shall be implemented prior to first occupation of the development or any other such timescale agreed by the planning authority, the total cost of all works being met by the applicant; and (15) 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.

The Sub Committee resolved:-

to approve the recommendation.

FORMER MILE END PRIMARY SCHOOL, MIDSTOCKET ROAD, ABERDEEN - 120569

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 Listed Building Consent for the redevelopment and extension of Mile End School to 37 residential units with associated car parking and landscaping, alteration of the vehicular access on Beechgrove Place and the demolition of the single storey toilet block extensions, the outdoor shelter and the stand alone dinner hut.

The Sub Committee resolved:-

to approve the recommendation.

41-45 LEADSIDE ROAD, ABERDEEN - 111370

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 the demolition of the existing building and the change of use to form 11 flats at 41-45 Leadside Road, Aberdeen, 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 the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, laid-out and demarcated in accordance with drawing No. 02 rev A

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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;

3) 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;

(4) That the use hereby authorised shall not take place unless there has been submitted to and approved in writing for the purpose by the planning authority a 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;

(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;

(6) That none of the units hereby granted planning permission shall 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;

(7) That the facade of the flat hereby approved shall not be finished other than with natural granite blocks with a surface finish, block size and style of pointing and jointing to match that existing;

(8) 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

(9) That no development shall take place unless a scheme of all drainage works designed to meet the requirements of Sustainable Urban Drainage Systems 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.

The Sub Committee were then circulated with a revised recommendation as follows:-

“To approve the application, subject to conditions, but to withhold the issue of the consent document until the applicant had entered into a legal agreement to secure the planning gain contributions negotiated between the two parties”.

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The Sub Committee resolved:-

to approve the amended recommendation.

23-25 INVERURIE ROAD, BUCKSBURN - 120751

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 alterations, extension and change of use to form a restaurant/ café to the existing premises at 23-25 Inverurie Road, Bucksburn, Aberdeen, subject to the following conditions:-

(1) That the use hereby granted planning permission shall not take place unless a 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 no part of this development shall take place unless a detailed assessment of the likely sources and levels of noise arising within, and those audible outwith, the premises has been submitted to, and approved in writing by, the planning authority. The noise assessment shall be carried out by a suitably qualified independent noise consultant. All noise attenuation measures identified by the noise assessment which are required in order to prevent any adverse impacts on the amenity of residents in the surrounding area shall be installed prior to commencement of the use hereby approved, unless the planning authority has given prior written approval for a variation; (3) 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. Refuse storage containers should be self-closing in order to minimise their attraction to birds; (4) That the premises shall not be open for business outwith the hours of 0700 and 2300; (5) That the garden ground associated with the premises shall not be used for outside dining; (6) That notwithstanding the provision of paragraph 16 of Circular 1/1998 no hot food takeaway service shall be provided as part of the Class 3 (Food and Drink) use at the premises.

The Sub Committee resolved:-

to approve the recommendation.

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NOX, 2 JUSTICE MILL LANE, ABERDEEN - 121185

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 change of use of the existing storage area to form a new roof terrace at Nox, 2 Justice Mill Lane, Aberdeen, subject to the following conditions:-

- (1) That no development shall take place unless details of how the noise attenuation recommendations (contained in sections 6.3 – 6.11 of Acoustic Assessment R-6013-SL1-RGM, dated 21st August 2012 by Robin Mackenzie Partnership) will be implemented have been submitted to and approved in writing by the planning authority. Thereafter the agreed measures shall be implanted in their entirety and shall remain in place so long as the roof terrace is in use unless a written confirmation of a variation is received by the planning authority;
- (2) That no amplified music or public announcement equipment shall be fitted to, or be in use outwith the fabric of the main building; and
- (3) That no development shall take place unless details of the position of any relocated mechanical plant has been submitted to and agreed in writing by the planning authority.

The Sub Committee resolved:-

- (i) to approve the recommendation; and
- (ii) to request that the licensing issues raised in the letters of objection be referred to the Licensing Board to consider.

39 DEEVIEW ROAD SOUTH, CULTS, ABERDEEN - 121083

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 a proposed summerhouse at 39 Deeview Road South, Cults.

The Sub Committee resolved:-

- (i) to note that the summerhouse would not be used as a residential unit; and
- (ii) to approve the recommendation contained in the report.

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MATTER OF URGENCY

The Convener intimated that he had directed in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973, that a replacement application report be considered as a matter of urgency to enable the Sub Committee to consider the most relevant and up to date information relating to the following application.

27 CROWN TERRACE, ABERDEEN - 120615

10. With reference to article 12 of the minute of meeting of the Sub Committee 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 the application in respect of planning permission for the proposed change of use and alterations on the first floor from an office to form seven flats at 27 Crown Terrace, Aberdeen, 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 7.00 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]; (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; (3) 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 building, 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; (4) That none of the flats hereby granted planning permission shall be occupied unless the cycle storage facilities as shown on drawing no. 120615-001 have been provided; (5) That prior to the date of occupation of each unit hereby approved, the developer shall provide evidence that it has paid for and provided two annual memberships of a car club for a period of two years the first owner of each flat; and (6) That prior to the commencement of any works on site, an options analysis and appraisal relating to the increasing security at the entrance to the building and within the building itself shall be submitted for the further written approval by the planning authority and thereafter the agreed measures shall be put in place in consultation with the property owner and other tenants.

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The Sub Committee resolved:-

to defer consideration of the application meantime to enable members to visit the site. The reasons for visiting the site were the impact on the amenity of people living in the vicinity; the access to the building; and the viability and amenity of businesses in the vicinity.

ADJACENT TO 136 CROWN STREET, ABERDEEN - 121052

11. 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 for planning permission to install 1 x DSLAM telecoms cabinet adjacent to 136 Crown Street, Aberdeen, subject to the following condition:-

That in the event that any part of this equipment becomes obsolete or redundant, it must be removed within 6 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 1 month of such removal.

The Sub Committee resolved:-

to approve the recommendation.

37 BROOMHILL AVENUE, ABERDEEN - 120691

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 erection of a garage at 37 Broomhill Road, Aberdeen, subject to the following condition:-

That the garage hereby granted planning permission shall not be used for any purpose other than that which is ancillary to the domestic use of the dwelling house.

The Sub Committee resolved:-

to defer consideration of the application meantime to enable members to visit the site. The reasons for visiting the site were the perceived height and scale of the development and the potential that the development could cause overshadowing to neighbouring properties and could represent over-development of the site.

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RESPONSE TO CALL FOR EVIDENCE ON HIGH HEDGES (SCOTLAND) BILL - EPI/12/250

13. The Sub Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which provided a formal response to the Scottish Parliament for their call for evidence on the High Hedges (Scotland) Bill.

A copy of the proposed response was attached as the appendix to the report.

The Sub Committee resolved:-

- (i) to note that the Head of Planning and Sustainable Development would enquire whether wide hedges were included in the proposed bill, and if they were not to be included, then a request to the Scottish Parliament for their inclusion would be made in the Council's response;
- (ii) to request that the response includes the importance of cutting vegetation outwith the growing season; and
- (iii) to otherwise approve the response as set out in the appendix to the report as the Council's formal response to the call for evidence on the High Hedges (Scotland) Bill.

- RAMSAY MILNE, Convener.