

## DEVELOPMENT MANAGEMENT SUB COMMITTEE

ABERDEEN, 16 May 2013. Minute of Meeting of the DEVELOPMENT MANAGEMENT SUB COMMITTEE. Present:- Councillor Milne, Convener; and Councillors Boulton, Corall, Cormie, Delaney, Donnelly (as substitute for Councillor Thomson), Finlayson, Grant, Jaffrey, Lawrence, MacGregor, McCaig and Jean Morrison MBE.

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

<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=348&MId=2559&Ver=4>

### MINUTE OF THE DEVELOPMENT MANAGEMENT SUB COMMITTEE OF 18 APRIL 2013 - FOR APPROVAL

1. The Sub Committee had before it the minute of its previous meeting of 18 April, 2013.

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

- (i) to note that in relation to article 3 to the minute (Hill of Rubislaw, Rubislaw Quarry – 121692), that the Enterprise, Planning and Infrastructure Committee would consider designating the surrounding area of the quarry as a controlled parking zone to alleviate pressures on residential parking likely to be caused by the development in due course; and
- (ii) to approve the minute.

#### **7 HOWBURN PLACE, ABERDEEN - 130190**

2. 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 part demolition of a public house and the erection of a new part public house and six serviced apartments at 7 Howburn Place, Aberdeen, subject to the following conditions:-

- (1) Prior to the commencement of development a noise assessment shall be undertaken, carried out by a suitably qualified noise consultant, and be submitted to and approved in writing by the planning authority. The noise assessment shall address the potential for noise disturbance arising from the extension of the public house and the serviced apartments to adjacent residents; noise arising from the public house extension and its impact on the serviced apartments, and the impact of noise arising from the road. The noise assessment shall include measures to prevent such noise disturbance arising. The noise assessment shall: (i) be in accordance with Planning Advice Note 1/2011 Planning and Noise and its accompanying Technical Advice Note; (ii) identify the likely sources of noise; and (iii) indicate the measures to reasonably protect the amenity of nearby residents of the development from all such sources

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of noise that have been identified. Thereafter, the approved mitigation measures shall be implemented in full prior to the development being first brought into use. (2) Notwithstanding the details submitted, prior to the commencement of development details of a secure long stay cycle storage space to accommodate six bicycles (3 Sheffield Type Stands) within the building shall be submitted to and approved in writing by the planning authority. Thereafter the cycle storage space shall be provided in full in accordance with the approved details prior to first occupation of any one of the serviced apartments hereby approved and retained for such use at all times. (3) Prior to the first occupation of any one of the serviced apartments hereby approved details of the membership to a Car Club scheme for the eligibility of the occupants of the serviced apartments shall be first submitted to and approved in writing by the planning authority. Thereafter the serviced apartments shall continue to operate with membership to a Car Club for the occupants of the serviced apartments. The development does not include any car parking provision; therefore car club membership would act to discourage occupants of the apartments from using their private car(s). (4) Notwithstanding the details submitted, prior to the commencement of development details of the provision of waste facilities shall be submitted to and approved in writing by the planning authority. The detailed waste facilities shall be provided in full in accordance with the approved details prior to first occupation of any part of the development hereby approved. (5) Prior to the commencement of development samples of the proposed glass blocks in the rear elevation shall be submitted to the planning authority for consideration and approval in writing. The development thereafter shall be completed in accordance with the approved details.

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

to approve the recommendation contained in the report.

### **64 BRIDGE STREET, ABERDEEN - 130246**

**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 planning permission for the change of use of a licensed gaming machine centre to a licensed restaurant with takeaway facility at 64 Bridge Street, Aberdeen, subject to the following conditions:-

(1) The development hereby approved shall not be brought into use until the extraction system detailed in the planning application has been fully installed in accordance with details that shall be first submitted to and approved in writing by the planning authority. (2) Prior to the commencement of development a noise assessment shall be undertaken, carried out by a suitably qualified noise consultant, and be submitted to and approved in writing by the planning authority. The noise assessment shall address the potential for the premises to cause noise disturbance to residents living in the upper floor flats within the building and to the occupier of the restaurant directly above the application

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premises, and the measures to prevent such disturbance. The noise assessment shall: (i) be in accordance with Planning Advice Note 1/2011 Planning and Noise and its accompanying Technical Advice Note; (ii) identify the likely sources of noise; and (iii) indicate the measures to reasonably protect the amenity of nearby residents of the development from all such sources of noise that have been identified. Thereafter, the approved mitigation measures shall be implemented in full prior to the development being first brought into use. (3) The development shall not be brought into use until the bin refuse area has been provided in full in accordance with details that shall be first submitted to and approved in writing by the planning authority. The refuse area shall thereafter be retained at all times for such use. For the avoidance of doubt the refuse area shall be suitably gullied and have a wash-down facility. (4) The take-away element of the proposal hereby approved shall not operate outwith the opening hours of the restaurant hereby approved.

The Sub Committee then heard the case officer propose that an amendment to condition 4 be considered by the Sub Committee. The amendment suggested was that hot food shall not be sold from the premises other than during the hours from 8.00 am until 11.00 pm unless the planning authority has otherwise agreed in writing.

The Convener moved, seconded by Councillor Donnelly:-

that the recommendation contained within the report be approved along with the proposed amendment to condition 4.

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

that the application be refused on the grounds of road traffic safety concerns.

On a division there voted:-

For the motion:- (10) – The Convener; and Councillors Corral, Cormie, Donnelly, Grant, Jaffrey, Lawrence, MacGregor, McCaig and Jean Morrison, MBE. For the amendment:- (3) – Councillors Boulton, Delaney and Finlayson.

**The Sub Committee resolved**:-

to adopt the motion.

### **ALBURY OUTDOOR SPORTS CENTRE, ALBURY ROAD, ABERDEEN - 130268**

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 for planning permission for alterations and the extension of the existing tennis courts, the erection of floodlights and replacement fencing at Albury Outdoor Sports Centre, Albury Road, Aberdeen, subject to the following conditions:-

(1) that notwithstanding the details submitted, the ten floodlights hereby approved shall be switched off no later than 21:00 every day and shall not be

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switched on before 8:00am the following day. (2) That no development shall take place unless a scheme for the protection of the hedge on 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 for the duration of the construction phase. (3) That no development shall take place until details of two trees to be planted have been submitted to and agreed in writing by 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 the tennis courts and floodlight installation 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.

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

To approve the recommendation contained in the report.

### **6 WEST CRAIBSTONE STREET, ABERDEEN - 130312**

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 for planning permission to the change of use from Class 4 (Offices) to Class 2 (Clinic) at 6 West Craibstone Street, Aberdeen, subject to the following conditions:-

(1) That prior to first occupation of the development hereby approved two long stay cycle stands shall be provided within a secure lockable compound in accordance with details that shall be first submitted to and approved in writing by the planning authority. Thereafter the cycle stands shall be retained and made available for such use at all times. (2) That prior to first occupation of the development hereby approved showering and changing facilities for the use of staff shall be provided within the building in accordance with details that shall be first submitted to and approved in writing by the planning authority. Thereafter the showering and changing facilities shall be retained and made available for such use at all times.

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

to approve the recommendation contained in the report.

### **UNIT 10, SUMMERHILL COURT, ABERDEEN - 130286**

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 for planning permission for the proposed change of use from a barber's shop to a hot food takeaway, including the

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installation of a ventilation chimney at Unit 10, Summerhill Court, Aberdeen, 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 premises shall not be open for business outwith the hours of 07:00 and 00:00.

**The Sub Committee resolved:-**

to approve the recommendation contained in the report.

**INVERSNECKY CAFE, 7-8 SEA BEACH, ESPLANADE - 130431**

7. 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 for planning permission for the change of use to an outside seating area in association with the Inversnecky Café, at 7-8 Sea Beach, Esplanade, Aberdeen.

**The Sub Committee resolved:-**

to approve the recommendation contained in the report.

**9-11 BELMONT STREET, ABERDEEN - 130227**

8. 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 for planning permission for a proposed extension to the terrace at the rear of the building at 9-11 Belmont Street, Aberdeen.

**The Sub Committee resolved:-**

to approve the recommendation contained in the report.

- **RAMSAY MILNE, Convener**.